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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 504 of 2021 (O&M)
Decided on: 17.08.2021

Roshan Thomas

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Amit Choudhary, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.425 dated 07.11.2020 under Section 420 IPC, Section 75 of I.T. Act, 2000 and Section 43, 66d of I.T. (Amendment) Act, 2008, registered at Police Station Badshahpur, District Gurugram.

The operative part of the order dated 08.01.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that on receiving a secret information that the petitioner is running a call centre without seeking licence from the competent authority, a raid was conducted and it was found that the petitioner along with co-accused Manish Sharma and Sunil Tripathi were running a call centre, where about 25 persons were employed. The modus operandi adopted by the accused persons was that they used to pretend themselves as the employees of Microsoft

CASE HEARD THROUGH VIDEO CONFERENCING

company and offer foreigners to buy virtual security cards worth 200 to 500 dollars. It is further submitted that there is no complaint from Microsoft company till date to verify the said fact and there is no complainant or the victim, who has come forward to stake a claim that the accused persons have cheated them. It is also submitted that on the face of it, no offence under Section 420 IPC is made out and the offences under the I.T. Act are bailable.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 08.01.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from SHO/Inspector Dinkar, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

Counsel for the State submits that the report of DITAC Lab, Gurugram, is yet to be received.

Accordingly, it is directed that on receiving the report of DITAC Lab, Gurugram, the same will be made part of the challan/report under Section 173 Cr.P.C.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 08.01.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

17.08.2021

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Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No