

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.11488 of 2021 (O&M)

Date of Decision: June 30, 2021

Ramak @ Ram Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Satyadev Bansal, Advocate,
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

Mr. D.S.Matya, Advocate,
for the complainant.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.156 dated 25.08.2020, under Sections 419, 467, 468, 471, 120-B and 34 IPC, 1860, registered at Police Station, Cyber Crime, Gurugram, District Gurugram. The petitioner is in custody since his arrest on 20.09.2020.

As per the FIR, on 07.08.2020, complainant Bhawna submitted a complaint before the police, wherein it was stated that she is having a bank account bearing No.309005407525 in RBL Bank, Palam Square, Gurugram and during the period from 19.07.2020 to 20.07.2020, an amount of Rs.38,63,893/- was withdrawn fraudulently by some unknown persons

from her abovesaid account without her knowledge. On these allegations, the above FIR was registered.

Learned counsel for the petitioner has argued that the petitioner is not named in the FIR and has been falsely implicated in this case. According to him, the petitioner has been indicted on the basis of the disclosure statement suffered by Rahul Khan, who stated that the petitioner had given him a sum of Rs.30,000/- for procurement of duplicate SIM. He has pointed out that the investigation of the case is complete, therefore, his further custody may not be necessary. He prays for bail.

The prayer is opposed by the learned counsel for the complainant on the ground that the petitioner actively participated in the crime as he was involved in forging and cloning the SIM cards to further use them to fraudulently take out money from the accounts of innocent persons. He submits that from the account of the complainant, a sum of Rs.38,63,893/- was withdrawn by making transactions on 19.7.2020 and 20.07.2020.

Learned State counsel, on instructions from Inspector Om Parkash, has pointed out that only four accused persons have been arrested so far out of total eight accused persons. He has further pointed out that petition bearing No.CRM-M-37952 of 2020 arising out of the subject FIR, and filed by co-accused, namely, Junaid is fixed for 01.09.2021.

Let this petition be listed for hearing along with CRM-M-37952-2020 on the date fixed.

At this stage, Mr.Satyadev Bansal, learned counsel for the petitioner, has stated that the petition be decided by passing any order.

After hearing the learned counsel for the parties and

considering the circumstances in totality, this court is of the opinion that the alleged offences are serious, therefore, no case is made out for grant of concession of regular bail to the petitioner at this stage.

Dismissed.

June 30, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No