**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-23811 of 2021(O&M)
Date of Decision: September 20, 2021

Sahil ...**Petitioner**

Versus

State of Haryana ...**Respondent**

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Aditya Jain, Advocate for the petitioner.

Mr. Vishal Malik, DAG, Haryana.

***

HARINDER SINGH SIDHU, J.

Present petition has been filed under Section 439 seeking regular bail in case FIR No.2 dated 18.04.2021, under Sections 406, 420 (Sections 467, 468, 471 and 120-B IPC added later on), registered at Police Station Cyber Crime, Hisar.

FIR was lodged on the complaint of one Nikhil who stated that he was a student of B.Tech. (Electrical). He stated that he belongs to a poor family. Along with his studies he used to do some work. While working online he got an offer from J.K. Finance Company to work for them. On 7th December 2020 he received a message that if he wanted to avail of some loan he should deposit his documents. On 8th December he deposited certain documents for the purpose of K.Y.C. On 8th December on the asking of one Neha Sharma he deposited Rs.4500/- which was demanded as processing fee. Same day he deposited Rs.13,500/- which was demanded as insurance amount. On the asking of one Sanjay Pahuja the complainant deposited Rs.18,500/- which was demanded to move the loan file of the complainant. On 18th December, 2020 he deposited Rs.40,000/- as Commission. He later deposited Rs.20,000/-. He alleged that a total amount of Rs. 96,250/- had been deposited by him from his account into the account purportedly of one Anup. The accused had given the complainant the address of their firm in Maharashtra but on enquiries from the bank the complainant learnt that his money had been deposited in the Canara Bank at Rohini (Delhi). Later, the accused stopped answering the calls of the complainant.

In the status report filed by way of affidavit of Assistant Superintendent of Police, Hisar it has been stated that during the course of investigation the petitioner was arrested on 27.04.2021. His disclosure statement was recorded, wherein, he stated that he was flashing/ advertizing through Google on you-tube and had started business of booking taxi, etc. He came in contact with Vijay who had been running a bogus finance company and Call Centre in Delhi. Vijay asked him to place advertisements on Google for his bogus finance company. After that he went to the office of co-accused Vijay where Parul @ Bali met him who was preparing bogus I.Ds. and bogus email I.Ds. He further disclosed that he used to sign up on Google in his laptop and sign up

'Grow Your Business' with Google advertisements. Thereafter, he filled in bogus I.D, and bogus mobile number on Google and he sent the money received through Google into the bogus account given by co-accused Vijay. He received data of public in general through different email I.Ds. He admitted that he has supplied data of lakhs of people to co-accused Vijay. Co-accused Vijay was paying him Rs.80,000/- to Rs.1,20,000/- for this. He also disclosed that he provided data of Nikhil (complainant) to co-accused Sonu on asking of Vijay. He disclosed that Parul @ Bali and Sagar @ Mithi look after the accounts. Pawan, Yogesh and Sunil run the Call Centre of co-accused Vijay. On his disclosure statement he got recovered one mobile phone make Samsung which contained SIM of Vodafone, one ATM card No.6521659906012356, one laptop make Toshiba, one charger and a mouse on 28.04.2021. Rs.10,000/- and two personal mobile phones make VIVO were recovered from him on 30.04.2021. The petitioner was maintaining account No.605610110015901 in Bank of India, Sector-8, Rohini, New Delhi. As per record of Bank of India, New Delhi the account was maintained in the name of Varsha Jaiswal wife of Ghanshyam Parshad Jaiswal r/o New Delhi. The ATM recovered from the petitioner was of that account. During course of investigations Sections 467, 468, 471, 120-B of IPC have been added in this case.

The status report further states that during investigation co-accused Sunil @ Sonu, Yogesh and Pawan Kumar were arrested on

26.04.2021. One mobile phone make VIVO, one Debit Card and another mobile phone were recovered from co-accused Sunil @ Sonu. One mobile phone, one pass book, two ATM cards were recovered from co-accused Yogesh. One mobile phone and one ATM card were recovered from co-accused Pawan Kumar. As per the status report the case is still under investigation. The other accused are to be joined in the investigation.

Thus, it clearly emerges that as per the allegations the petitioner is a member of gang which indulges in well-planned cyber crime. The petitioner along with co-accused has cheated the complainant and several other persons by inducing them to deposit money in fake accounts which were got opened by the accused persons in the name of fake persons by using fake Identity Cards and Mobile SIM cards. Petitioner used to put advertisement for sanctioning of loan upon Google search Engine and used to obtain personal details of innocent persons which were later used by the accused persons for obtaining mobile SIM numbers and for opening fake accounts. The petitioner was maintaining bogus Account No.605610110015901 in Bank of India, Sector-8, Rohini, New Delhi in the name of Varsha Jaiswal wife of Sh.Ghanshyan Parshad Jaiswal.

The case is yet under investigation. The remaining accused are yet to be arrested. The allegations are serious. No ground is made out for grant of bail to the petitioner at this stage.

Accordingly, this petition is dismissed.

Nothing stated herein shall be construed as an expression of opinion on the merits of the case.

September 20, 2021 **(HARINDER SINGH SIDHU)**
gian **JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No