

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

**CRM-M-1994-2022
Reserved on : 11.02.2022
Pronounced on : 22.02.2022**

Gurmitha Singh Gujral

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. H. S. Sehgal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No. 22 dated 05.05.2021, registered under Sections 420, 120-B of the IPC and Sections 66, 66C and 66D of the Information Technology Act, 2000 at Police Station Punjab State Cyber Crime, Mohali.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of complainant Rajinder Singh Sidhu, it is stated that he has taken a few insurance policies for his grand kids and his daughter through a broker. After the initial payments were made, nothing was done later on and in all 16 policies were taken from HDFC Life, Birla Sun Life, Bharti Axa, Aegon Life, Future Gen. Allianz. Later on, the complainant was informed by HDFC Life that all the policies have lapsed and he can take surrender value. Similarly, Birla Sun Life has also terminated the policies. The policies were initially taken through one Amit Gupta. The complainant alleged that he started receiving calls from

one Sonia that she can help in resolving the payment issue of the policies and the complainant deposited the amount in various accounts as instructed by her and even he got SMSs that certain policy premiums are paid in full, however, later on, the complainant came to know that no premium was credited into the policies' account and in fact fake messages were sent by said Sonia. Since the complainant was in USA, he could not do anything and when he returned to India after improvement in COVID-19 situation, he sent more money on the asking of Sonia and a total of Rs. 13 Lakh was paid in account No. 100009214201 in the name of one Vipin Tomar. Later on, the complainant came to know that in fact one Preeti has impersonated as Sonia and has played active role in cheating complainant by getting the amount transferred into the account of co-accused Vipin Tomar and the petitioner is the mastermind as he is the Sales Manager in PNB Metlife India Insurance Company, where the aforesaid Preeti was an employee and on the asking of the petitioner, Preeti started communicating with the complainant.

Learned counsel for the petitioner further submits that in fact no amount was transferred into the account of the petitioner and no transaction between the petitioner and the complainant has taken place. It is further submitted that co-accused Preeti has already been granted the concession of regular bail by this Court, vide order dated 20.12.2021 passed in CRM-M-5292-2021 and the name of the petitioner surfaced after the arrest of Preeti.

In reply, learned State counsel submits that during the course of investigation, it has come that co-accused Kuldeep withdrew the amount by using an ATM and it was shared by all the accused persons and the petitioner got 60% to 65% share as he was in dominating position over other

accused, being the Sales Manager of PNB Metlife Insurance Company.

Learned State counsel further submits that during investigation, the Excel file of the customers having their details was found on the Gmail of said Preeti and even the mobile phone of the petitioner has been sent to FSL for forensic examination. It is further submitted that challan stands presented, in which sufficient evidence has come against the petitioner as well as other co-accused.

Learned State counsel has also filed the custody certificate, as per which, the petitioner is in judicial custody for the last 03 months and 22 days.

After hearing learned counsel for the parties, without commenting anything on the merits of the case, considering the serious allegations against the petitioner, I find no ground to grant him the concession of regular bail.

Accordingly, the present petition is dismissed.

22.02.2022
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No