IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-6162-2022
Date of decision: 04.04.2022

Pradeep Singh

...Petitioner

Versus

State of Punjab .....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Anoop Verma, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.117 dated 03.04.2021, registered at Police Station Sohana, District SAS Nagar, Mohali, under Sections 419, 420, 467, 468 and 471 IPC and Sections 66(C) and 66 (D) of the Information Technology Act, 2000.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that co-accused, namely Mohammed Tariq and Jane Alam have already been arrested, but it could not be established that the amount was ever transferred in the account of the petitioner. On this premise, the learned counsel for the petitioner prays that the petitioner be released on anticipatory bail.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner, submits that initially, Sandeep and Pardeep (petitioner) approached complainant-

Manjeet Singh Dhillon to invest an amount of Rs.16-17 lakh on the allurement of getting cash back benefits by using cash wallets; that thereafter, both the above-named accused approached Jane Alam, by posing as Ajay Kumar, r/o Zirakpur and Vikram Singh, r/o Panchkula, but Jane Alam informed both of them that he could not transfer the amount beyond Rs.1 lakh through his online wallet; that Jane Alam further contacted Mohammed Tariq whose wife-Gule Zarrin was an authorized distributor of 'Sahi Pay App' and was competent to transfer amount more than Rs.1 lakh; that thereafter, approximately an amount of Rs.16-17 lakh, belonging to the complainant, was credited in the account of Gule Zarrin, and after deducting the commission amounting to Rs.16,000/- (1% of the aforesaid amount), which was equally distributed in cash between Mohammad Tariq and Jane Alam, the remaining amount was given in cash to Sandeep and Pardeep by Mohammad Tariq.

Learned State counsel further submits that after this fraudulent transaction, account of Gule Zarrin wife of Mohammed Tariq was blocked by M/s Manipal Business Solutions Pvt. Ltd, (a parent company of 'Sahi Pay App'), and when alleged Ajay Kumar and Vikram Singh again approached Mohammed Tariq for getting encashed another payment of Rs.97,000/-, he got them apprehended by the Uttrakhand Police, and that subsequently, it came into fore that the real names of the aforesaid persons are Sandeep Singh and Pardeep (petitioner). There are three other FIRs registered against the petitioner under Section 420 IPC etc.

I have heard the learned counsel for the parties.

There are serious allegations against the petitioner that the aforesaid amount in question had been received by the petitioner and co-accused Sandeep Sigh from the other co-accused and the petitioner is also one of the beneficiaries of the aforesaid transaction(s). Moreover, the petitioner is also involved in three other cases registered under Section 420 IPC.

Keeping in view the nature and gravity of the offence coupled with the fact that the petitioner is required for custodial interrogation to ascertain the mode of the alleged commission of the offences, this Court does not find any merit in the present petition.

Therefore, finding no merit in the present petition, the same is dismissed.

04.04.2022 **(HARNARESH SINGH GILL)**
parveen kumar **JUDGE**

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No