

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

**CRM-M-18385-2022 (O&M)
Date of decision: 05.05.2022**

Kanwar Pal Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashish Aggarwal, Sr. Advocate with
Mr. H.S. Popli, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.44 dated 26.03.2022 under Sections 384, 420 IPC and Sections 66D & 75 of I.T. Act, registered at Police Station DLF-II, Gurugram.

Learned senior counsel for the petitioner submits that the FIR has been registered at the instance of Inspector Om Parkash, Incharge Police Station DLF-II, Gurugram, alleging that the accused, who are total 29 in number, including 03 employees of a call centre, where the petitioner was employed as Manager for the purpose of transportation of the employees, have extorted

money from the citizens of Canada, by running a fake call centre. Learned senior counsel has referred to the orders dated 30.03.2022 and 07.04.2022 passed by the Chief Judicial Magistrate, Gurugram, granting regular bail to co-accused, wherein it has been noticed that no one from the general public has made any complaint and only the police official i.e. Inspector Om Parkash has come forward to make the allegations against the petitioner and co-accused that they are running a fake call centre. It is further submitted that it is not a case, where the petitioner has gained any monetary benefits from the transaction, as he was only a salaried employee.

Learned senior counsel further submits that after arrest of owner of the call centre as well as some of the employees, entire record including the computers etc. has already been taken in possession by the police, therefore, no custodial interrogation of the petitioner is required.

Learned State counsel has, however, submitted that allegation against the petitioner is that a call centre was run by main accused Umesh Yadav and the petitioner was working as Manager in the same and in the FIR, it is stated that 25% was kept by the group members and remaining was given to the petitioner, who gave the same to the owner later on.

After hearing learned counsel for the parties and considering the fact that main accused has already been arrested; recovery of instruments like computers etc. has been effected and no monetary benefit is taken by the petitioner, this Court finds that custodial interrogation of the petitioner is not required, therefore, this petition is allowed and the petitioner is granted the

concession of anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It will be open for the Investigating Officer to call the petitioner in the police station for the purpose of joining him in the investigation, after giving an advance notice in writing.

[ARVIND SINGH SANGWAN]
JUDGE

05.05.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No