

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

CRM-M-49699-2021 (O&M)

Date of decision : March 07, 2022

Sayak Basak

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Anil Kumar Sagar, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab

ARVIND SINGH SANGWAN, J.

CRM-7470-2022

Allowed, as prayed for.

CRM-M-49699-2021

Prayer in this petition is for grant of regular bail to the petitioner in case FIR No.13 dated 18.4.2020 under Sections 420, 406, 465, 468, 471, 120-B IPC registered at Police Station State Cyber Crime, SAS Nagar, Punjab.

Counsel for the petitioner submit that as per the allegations in the FIR registered on a complaint given by Harinder Singh that he has received a telephone call from someone that he has won a price of Rs.25 lacs from Kon Banega Crorepati and asked him to give the details of his mobile number, account number etc. Thereafter, he received another call vide which he was asked to deposit some amount. It is further submitted in the FIR that from different numbers, different persons called him by faking their

identity as Deputy Commissioner of Income Tax, Mumbai etc. or employee of the Reserve Bank of India to send his bank details regarding winning of the lottery and in that process under duress they got huge amount transferred from the account of complainant.

Counsel for the petitioner further submitted that the investigation is complete, the case is fixed for prosecution evidence and no amount was received by the complainant.

Counsel for the petitioner has referred to the statement of PW1, the Investigating Officer to submit that, in fact, the petitioner has not received any amount, however, a careful perusal of the statement of PW1- Inspector Vikas Abrol, the Investigating Officer reveals that it was a fraud of more than two crores of rupees and a huge amount was transferred from the victims in 30 different accounts, including that of the petitioner.

Counsel for the petitioner has relied upon certain documents, i.e. the statement of the account of the petitioner, however, in cross-examination of PW1 the said documents were never put to the witness and, therefore, these documents cannot be looked into while deciding this bail application.

Considering the serious allegations against the petitioner, I find no ground to grant the regular bail to the petitioner.

Therefore, the present petition is dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

March 07, 2022
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No