

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

CRM-M-41898-2023

Date of Decision:03.11.2023

Harpinder Singh

...Petitioner

Vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present: Mr.Mohan Singh, Advocate
 for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Mr. Shiv Kumar Sharma, Advocate
for the complainant.

N.S.Shekhawat J.

1. Mr. Shiv Kumar Sharma, Advocate has put in appearance on behalf of complainant by filing his Memorandum of Appearance, which is taken on record.

2. The petitioner has filed the present petition under Section 438 Cr. PC with a prayer to grant of anticipatory bail in case FIR No.19 dated 23.06.2023, registered under Section 384,170,420,120-B and 506 of IPC and Section 66-D of IT Act, 2000 at Police Station Punjab State Cyber Crime, District Mohali Punjab. (Annexure P-1).

3. The FIR in the present case was registered on the basis of the complaint moved by Kanwaljit Singh regarding cyber fraud, blackmailing and extortion of about Rs.65 lacs by the accused. As per him, in September 2021, he received a whatsapp message on his mobile phone from another number and later got a whatsapp call from a woman. She sent her photos on the mobile

phone of the complainant and asked about him. She told her name as Manpreet and stated that she was doing the beauty parlor course in Mohali. On 20.09.2021, she sent him a photo of her bank passbook and requested him to deposit a sum of Rs.2/3 thousand in the same. In February 2022, he got a whatsapp call from her, however, when he picked the call, he was shocked to see that a adult/porn video was playing on it and he got nervous and disconnected the call. In first week of March 2022, she insisted on meeting the complainant and she called him at Mansa, where they met on road for few minutes. She again called in second week of March 2022, she met the complainant at her aunt's house and one more woman and two men were also there along with Manpreet. They shouted at the complainant and forced him to sit there and showed him a video, in which his face was visible on half of the screen and a porn video was on the other half. They threatened the complainant that they would put the video on social media everywhere and a demand of Rs.4/5 lacs was raised to get the video deleted and had taken Rs.25/30 thousand from him at that time. Later, a sum of Rs.65 lacs was taken from him on different dates. In August 2022, Sukhpreet co-accused again called the complainant and he told the complainant that he had stopped Manpreet and her mother from filing the sexual harassment case. However, they had filed a accident case against him and the SHO was asking about him. The complainant was shocked to hear the said allegation as he had not caused any accident ever. However, Sukhpreet stated that they wanted more money and due to this they had filed the false case against him. They again took Rs.6.50 lacs in August on the pretext of giving the money to the SHO. Even after that they did not stop and Sukhpreet again called the complainant after sometime and told that they

had made a mistake as they did not record the statement of Manpreet and her mother and they had made a complaint to one Hon'ble Judge of this Court. On the orders of a Hon'ble Judge of this Court, the new SHO wanted to take his car in custody. The complainant was shocked to hear that the case had been filed in the High Court and a High Court Judge was asking for him. Thereafter, the money was extorted from the complainant on one pretext or the other. Thereafter, Sukhpreet told the complainant that the reader of the Hon'ble Judge was asking for money etc. and the name of the reader was disclosed as Ravinder. Thereafter, different amounts were taken from the complainant in different accounts and also through Phonepe of Harpinder Singh. In September 2022, the complainant retired from LIC and whatever retiral benefits, he had received on his retirement, the same were extorted from him by the accused and he was not left with any money. Even, the complainant had taken money from family/friends also. Ultimately, the complaint was made by the complainant. With these broad allegations, the FIR in the present case was registered against Sukhpreet Singh, Ravinder reader, Gurpyar Singh, Manpreet Kaur, Jaspreet Kaur and Harpinder Singh, the present petitioner.

4. Learned counsel for the petitioner contends that he has been falsely involved in the present case. In fact, the allegations levelled by the complainant are vague and no offence is made out against the present petitioner. Even as per the allegations levelled in the FIR, the complainant transferred certain money in the account of the petitioner on the instructions of the main accused and the petitioner had further transferred the money in other accounts. Learned counsel further contends that the petitioner had transferred the money in the account of Ram Singh, co-accused and the petitioner has been falsely involved by the local

police.

5. A status report by way of an affidavit of Prabhjot Kaur, P.P.S, Deputy Superintendent of Police, State Cyber Crime Cell, Punjab, Phase IV, SAS Nagar, Mohali has been filed on behalf of respondent-State and the same was taken on record.

6. Learned State counsel submits that a huge sum was taken illegally by the petitioner and his co-accused and had blackmailed the complainant. Learned State counsel further submits that on the demand of Sukhpreet, co-accused out of the extorted 65 lacs of rupees, the complainant deposited the following amount in the Phonepe account number 9814559314 of Harpinder Singh (the petitioner) from his (complainant) Phonepe account number i.e. 9814012093:-

Sr. No.	Date	Amount	Sender Bank Account Details	Receiver Bank account details
1.	14.03.2022	50,000/-	Name: Kanwaljit Singh, Account No.520101210019014, IFSC:UBIN0911968	Name: Harpinder Singh, Account No. 50100364081807, IFSC:HDFC0001957
2.	10.04.2022	30,000/-	Name: Kanwaljit Singh, Account No.520101210019014, IFSC:UBIN0911968	Name: Harpinder Singh, Account No. 50100364081807, IFSC:HDFC0001957
3.	04.05.2022	50,000/-	Name: Kanwaljit Singh, Account No.520101210019014, IFSC:UBIN0911968	Name: Harpinder Singh, Account No. 50100364081807, IFSC:HDFC0001957
4.	05.05.2022	50,000/-	Name: Kanwaljit Singh, Account No.520101210019014, IFSC:UBIN0911968	Name: Harpinder Singh, Account No. 50100364081807, IFSC:HDFC0001957
5.	12.08.2022	50,000/-	Name: Kanwaljit Singh, Account No.520101210019014, IFSC:UBIN0911968	Name: Harpinder Singh, Account No. 50100364081807, IFSC:HDFC0001957
6.	12.09.2022	10,000/-	Name: Kanwaljit Singh,	Name: Harpinder Singh,

			Account No.520101210019014, IFSC:UBIN0911968	Account No. 50100364081807, IFSC:HDFC0001957
7.	17.09.2022	25,000/-	Name: Kanwaljit Singh, Account No.520101210019014, IFSC:UBIN0911968	Name: Harpinder Singh, Account No. 50100364081807, IFSC:HDFC0001957
8.	11.10.2022	40,000/-	Name: Kanwaljit Singh, Account No.520101210019014, IFSC:UBIN0911968	Name: Harpinder Singh, Account No. 50100364081807, IFSC:HDFC0001957

Apart from that, Sukhpreet extorted the money from the complainant by saying that Manpreet, co-accused and her mother had filed the complaint in this Court and on the orders of the Hon’ble Judge of the High Court, the new SHO wanted to take his car into custody and Ravinder, alleged reader of this Court had also talked to the complainant several times from his mobile phone. Thus, it is evident that the petitioner is part of the gang, which had taken huge sums from the complainant and his custodial interrogation is required in the present case.

7. I have heard the learned counsel for the parties and with their able assistance, I have gone through the record carefully.

8. From the allegations levelled by the complainant in the present FIR, it stands established that specific allegations have been levelled against the present petitioner. Apart from that, from the abovereferred financial transactions, it is apparent that the complainant was forced to deposit the various amounts in the Phonepe account number of the present petitioner. Apart from that, even Ravinder, co-accused of the petitioner had projected himself as a reader of a Hon’ble Judge of this Court and he had illegally taken the money from the complainant side. Thus, there are serious allegations against the present petitioner and keeping in view the gravity of the crime, the petitioner is

not entitled to the concession of anticipatory bail. Apart from that, in the considered opinion of the Court, the custodial interrogation of the petitioner will be required to elicit the information from the present petitioner and to take the investigation to this logical end.

9. In view of the above, there is no force in the submissions made by learned counsel for the petitioner and the present petition is ordered to be dismissed.

03.11.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE