

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6289 of 2023

Date of decision: 9th April, 2024

Agodo Chinonso Franklyn @ William

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jagpal Singh, Advocate for
Mr. Rahul Sharma, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.30 dated 30.06.2022 under Sections 420 of the IPC and Section 66(C) & 66(D) of the Information Technology Act, 2000 (Sections 201, 120-B IPC added later on) registered at the Punjab State Cyber Crime Police Station, SAS Nagar, District Crime Wing, SAS Nagar (Mohali).

2. Learned counsel for the petitioner inter alia contends that he has been falsely implicated in the instant case; there was no cogent much less convincing evidence collected by the Investigating Agency to connect him with the alleged transactions. It has further been submitted by the learned counsel that since the petitioner has been in custody for almost 2 years, having been arrested on 08.07.2022 and trial has not yet concluded, he be enlarged on bail.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has

submitted that the petitioner is a foreign national; he is the prime accused in the crime in question who along with his co-accused (who too is a foreign national) had been sending WhatsApp messages in the name of senior Government officials as well as some Ministers to the complainant and other innocent people, and thereafter, had been duping them of huge amount of money through online Bank transactions. It has also been submitted by the learned State counsel that the petitioner has criminal antecedents as he is involved in some other cases of similar nature. Learned State counsel has still further submitted that the trial is nearing conclusion as 12 prosecution witnesses out of the 14 cited already stand examined.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the facts and circumstances as enumerated hereinabove, coupled with the allegations levelled against the petitioner, who is stated to be the mastermind behind the crime in question, and also the stage of the trial, this Court does not deem it fit to extend the concession of bail to the petitioner. The petition as such stands dismissed.

6. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

April 9, 2024
rps

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