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

CRM-M-26132-2024
Reserved on: 01.08.2024
Pronounced on: 30.08.2024

Rahul Singh ...Petitioner

Versus

State of Haryana …Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Rajesh Bansal, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl. AG, Haryana.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
527	12.10.2022	Baldev Nagar, District Ambala	120-B, 406 & 420 IPC (later on added Sections 467, 468, 471 & 201 IPC and Section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act 2013)

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 439 CrPC, 1973, seeking regular bail.

2. As per para 6 of the petition, the accused has the following criminal antecedents:-

Sr. No.	FIR No.	Date	Offenses	Police Station
1	124	14.02.2023	120B, 406, 420, 467, 468, 471, 201 & 506 IPC and Section 3 of Haryana Protection of Interest of Depositors in Financial Establishment Act 2013	Yamunanagar City, District Yamunanagar
2	15	19.01.2023	120B, 406, 420, 467, 468, 471 IPC	City Pehowa, District Kurukshetra

3. Facts of the case are being taken from reply dated 20.07.2024, which reads as under:-

"That as a matter of fact the present FIR No. 527 dated 12.10.2022 under Sections 406, 420, 467, 468, 471, 120-B of Indian penal code, 1860 and section 3 of the Haryana Protection of Interest of Depositors in Financial Establishment Act, 2013 has been registered at Police Station Baldev Nagar, District Ambala. The contents of the complaint are as under:-

"Sir, a complaint No. 5943-PW dated 07.10.2022 of Gurmail Singh son of Pritam Chand Dhingra, resident of Tandwali, Police Station Barara, District Ambala, after investigation by the Economic Offenses wing Ambala through was received at Police Station Dak from the office of Superintendent of Police Ambala. City, the contents of which are as follows- Complaint No. 5943-PW, Date 7.10.2022 SP OFFICE, Ambala.

To, The Superintendent of Police District Ambala. Sir, it is stated that I Gurmail Singh son of Pritam Chand Dhingra, am a resident of Tandwali, Police Station Barara. I have been working as JBT Teacher in the Education Department since 2011. Yashpal Saini Ladwa is my acquaintance who told me about an app of a company named tetherworld.com that on the investment this company gives two dollars per day upto 120 days. This company makes a new mobile ID after investing of 8000 Rs. thousand 8000 (US$100) and in return of 8 thousand it will and send in two dollars per day in the ID for 120 days and will send 240 dollars in 120 days, for which it will return Rs.19200/- after listening to which, I also made my ID from Yashpal Saini and Yashpal made me to talk proprietor of the above company to the namely Pradeep Tanwar, resident of Village Bhopara, Tehsil Tosham, district Bhiwani and Pradeep Tanwar's nephew Rahul Singh, resident of Bhadtauli, District Kurukshetra and Master Malkit Singh, resident of village Landa, Tehsil Shahabad, District Kurukshetra and Hariom Rana, resident of village Badshami Sura, Tehsil Radaur, District Kuruskhetra. Then all the above accused came to SagarRatna Hotel Jaggi City Center in the month of July 2022, where I had also invited my friends Rajender Kumar and Tejpal Singh, where the accused said that all of us have prepared software on Google and have made this registered company after taking permission from the Government, the owner of which is Pradeep Tanwar, who told me and my friends the process of running ID in the above company and everyone made from the accused under their IDS their attractive representations. The accused have already created my friend Tejpal's ID No. tw702919 RK123400 and Rajendra's ID No. RK123400. My friend Tejpal Singh had also invested Rupees 2 lacs with his ID. My friend Tejpal Singh has made his ID through me. I have received around Rs.170000/- from my friend Tejpal Singh's Mobile No. 9416667657 on the Google Pay of my wife Mamta Devi's Mobile No.8529551724, which money I transferred to accused Pradeep Tanwar's HDFC bank account No.59120100248522 as per my wife Mamta's ID No. TW173046 through Google Pay and Phone Pay from Mobile No.7982956553 as per the instructions of the accused and about Rupees 20 lacs of many other people have been deposited in the above bank account from July 2022 to August 2022. Accused Pradeep Tanwar etc. had created a WhatsApp group in the name of tetherworld on their Mobile No. 9050429124 in the name of the above company in the name of about 500 customers through which they used to send information of the company to people. We have now come to know that these people

> *have conspired with each other and have usurped lacs of Rupees from many people in and around our city by investing them in the Tether World Agency. The accused had created an online agency by preparing the fake software of this fake company in the name of Tether World Company with the intention of fraud and forgery to grab the money of the people. I have submitted to you the phone numbers of the google pay, phone pay of the Tether world Agency, Software ID and photocopy of the records of WhatsApp chat etc. of the Tether World Agency. Legal action should be taken against all the accused by recovering the money of all of us. SD/- Gurmall Singh 07/10/2022.7015514397."*
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> *4. That after registration of the FIR, the Special investigation Team was constituted for the investigation of case under the control of Assistant Superintendent of Police, Ambala. Thereafter, the 1.0. collected the record of web Site tetherword.com from the complainant and thereafter, on 10.11.2022 the notice under Section 91 Cr.P.C. was sent to the concerned company through Cyber Cell, Ambala for supply of relevant record.*
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> *5. That on 15.11.2023, the complainant produced 98 pages of account detail statement of his account bearing No. 359501500982 of ICICI Bank and 4 pages of his bank account detail bearing No. 50200071418310 of HDFC Bank in which the amount has been found to be transferred in the account of tetherword.com, which was taken into possession by preparing recovery memo. During course of investigation on 01.12.2022 the 1.0. collected the bank account detail of account No. 201002485226 of IndusInd Bank of co-accused Pardeep Kumar. On 29.12.2022, the 1.0. collected documents of ID and detail of account transaction of victim Devi Lal and victim Kuldeep Singh. On 30.12.2022, 1.0. collected the detail of bank account bearing No. 59120100248522 of HDFC Bank of co-accused Pardeep Kumar and on verification of account detail of co-accused Pardeep Kumar, it has been found that the victims have deposited the amount in the account of co-accused Pardeep Kumar on various dates. Thereafter, on 03.01.2023, the accused Pardeep Kumar was arrested in this case."*

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.

5. The State opposes the bail.

6. As per paragraph 5(i) of the bail petition, the petitioner has been in custody since 21.05.2023. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the primafacie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order.

7. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official

webpage.

8. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

9. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

10. This order is subject to the petitioner's complying with the following terms. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

11. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

12. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

13. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

30.08.2024
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.