



CRM-M-43126-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43126-2024

Date of Decision : 17.09.2024

GOPAL VERMA

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. R.S.Mamli, Advocate for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

KIRTI SINGH, J.(Oral)

Apprehending arrest in FIR No.55 dated 01.11.2023, under Sections 420, 467,468, 471 and 120-B IPC registered at Police Station Cyber Rohtak, District Rohtak, the petitioner has preferred this petition under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail.

2 Succinctly the facts in brief are that the present FIR was registered on the statement of Sachin stating that he is a student of B.A. 2nd year and is having an account No.41953980669 in State Bank of India in which about Rs.14,23,000/- was deposited as proceeds from sale of land. On 18/19-09-2023 the complainant observed that his mobile phone was having some network issue, later the complainant put his sim card in the mobile phone of his friend and when he checked his account, he discovered that funds from his bank account had been transferred by someone. The complainant checked the paytm history and he came to know that during the period from 19.09.2023 to 05.10.2023 an amount of Rs.14,14,600/- has been transferred in the account of one Shankar. During the course of investigation the account statement of complainant was analyzed which



revealed that an amount of Rs.14,14,600/ has been transferred in account No. 100179101246.

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. He has not been named in the FIR and he has no concern with the above mentioned incident and no amount has been received by him. He further submits that the amount was received in the account of co-accused Shankar. Later, it was found that Rs.7,40,000/- was transferred to some other account and the remaining sum was withdrawn through the ATM. In total 15 persons have been made accused and 12 of them have been arrested.

4. Learned State counsel while referring to Paragraphs No.6 to 8 of status report dated 09.09.2024 submits that on 04.04.2024 the co-accused Sunil Kumar Jha was taken on production warrants to join the investigation of this case and his disclosure statement has been recorded in which he disclosed that in lieu of the commission he handed over the account details which he had received from co-accused Gagandeep and Nirmal to co-accused Anand Goswami and Gopal. On the basis of disclosure statement of co-accused Sunil Kumar Jha, a mobile phone and Rs.2500/- was recovered from him. After completion of investigation challan has been presented in the Court against accused Nirmal, Gagandeep and Sunil Kumar Jha challan and the petitioner Gopal Verma and co-accused Anand Goswami have yet not been arrested. The investigation of the case is still pending. The petitioner was actively involved in the occurrence. His custodial interrogation is very much required to know the details of the *modus operandi* of the gang members working together and defrauding people at large. The specific role of petitioner is that the co-accused Sunil Kumar Jha had provided him account details and he has provided mobile sims to other co-accused which were used in the alleged



- 5. Heard the rival submissions made by learned counsel for the parties.
- 6. The accused is allegedly involved in a well organized operation of defrauding individuals and causing substantial financial harm. The nature and gravity of the offence suggests a pre-mediated and deliberate intention to exploit innocent people. Granting anticipatory bail at this stage, could hamper the investigation and there is a risk of tampering with the evidence and influencing witnesses. Therefore, anticipatory bail is not justified at this stage.
- 7. Accordingly, this petition is **dismissed**.

17.09.2024
Kavita

(KIRTI SINGH)
JUDGE

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