



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

CRM-M No.45293 of 2024
Date of decision: 12th September, 2024

Manish Rajput

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.P. Jangu, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 BNSS in case FIR No.28 dated 13.04.2024 under Sections 379, 420 of the IPC (Section 120-B IPC added later on) registered at Police Station Cyber Crime, District Hisar.

2. Learned counsel for the petitioner asserts that he has been falsely implicated in the present case, as a perusal of the FIR, which has been annexed as Annexure P-1, clearly reveals that he has not been named therein; his connection to the crime in question is based solely on the claim that two laptops allegedly recovered from co-accused Pushpinder belonged to him. It has been further argued by the learned counsel that the petitioner does not reside near Hisar, where the complainant lives and where the crime allegedly occurred, which hints towards his innocence. It has also been highlighted that the petitioner is not facing trial in any other criminal case, which further indicates that



his involvement in the present case is based on mere speculation and unsupported assumptions. Still further, it has been argued that there is a significant and unexplained delay of 22 days in lodging the FIR after the complainant became aware of the alleged crime.

3. Notice of motion.

4. Ms. Trishanjali Sharma, Dy. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the State.

5. Learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner, by contending that the petitioner is the mastermind behind the crime. It has been prayed and argued that custodial interrogation of the petitioner is necessary not only for the recovery of defrauded amount but also to unearth the full-scale of the operation of the gang, which the petitioner along with the co-accused is operating.

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

7. As per the allegations levelled in the FIR, annexed as Annexure P-1, on 21.03.2024 the complainant, a retired Bank employee, discovered that his mobile phone had been hacked, with messages automatically forwarded to an unknown number, without his consent. The complainant tried to alter the settings on his mobile phone however, he was unable to do so, instead, he noticed multiple OTPs for IBS, Password Resets and various mobile Apps being forwarded to the



unknown number, i.e. 07783067997. Upon going through his bank account, he found that ₹2,23,000/- had been fraudulently transferred via IMPS and Bill Desk from three of his accounts. After resetting his phone, the message forwarding stopped. Resultantly, he filed a complaint on the National Cyber Crime Portal, leading to the registration of the FIR in question.

8. Prima facie, the allegations against the petitioner are very serious, as he and the co-accused are alleged to be part of a gang that has been systematically defrauding vulnerable individuals from remote areas. The petitioner is alleged to be the principal operator of the gang. A recovery of 13 mobile handsets has been effected by the police from the co-accused, Pushpinder, Deepinder and Saurabh, with SIM cards registered under various false identities. Two laptops allegedly recovered from co-accused Pushpinder are purportedly linked to the petitioner and were being allegedly used to coordinate the fraudulent activities of the gang. In light of the widespread and increasing prevalence of cyber crimes, resulting in huge financial losses to innocent victims, this Court concurs with the prayer made by the learned State counsel that the custodial interrogation of the petitioner is imperative to fully reveal the modus operandi of the gang and the extent of their illegal activities. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.



9. Dismissed.

10. 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

September 12, 2024
rps

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