

2024:PHHC:166494



212 (2nd case)

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

**CRM-M No.53656 of 2024 (O&M)
Date of Decision: 12.12.2024**

Mohammad Sameer Mansuri

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gurinder Singh Goraya, Advocate for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana
for the respondent assisted by I.O./ASI Pardeep.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail pending trial to the petitioner in FIR No.69 dated 29.12.2023, under Sections 420 & 120-B of the Indian Penal Code, 1860 (*for short 'IPC'*); Section 66D of the Information Technology Act, 2000, registered at Police Station Cyber Crime, N.I.T., District Faridabad.

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(2) Allegations are that petitioner along with his co-accused defrauded the complainant to the tune of Rs.33,42,250/- on the pretext of providing him part-time job for liking YouTube Videos.

(3) Contends that petitioner has not been named in the FIR; rather has been falsely implicated during investigation in the present case by showing false recovery of Rs.18,56,000/- from the alleged bank account of the petitioner. Further contends that the said bank account was not used by the petitioner. Lastly contends that petitioner is working as Tailor and has not committed any offence.

(4) *Per contra*, learned State Counsel, on instructions from I.O./ASI Pardeep, opposed the prayer while submitting that petitioner was part of well organized racket, which is involved in duping innocent people by getting their hard-earned money transferred in their bank account(s). Also submits that an amount of Rs.18,56,000/- was transferred in the bank account of the petitioner; thus, he does not deserve the concession of bail.

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) Reply/status report by way of an affidavit dated 07.12.2024 of Sh. Abhimanyu Goyat, ACP, Cyber Crime, NIT, Faridabad, along with Annexure R-1, has been filed. The same is taken on record. Copy thereof supplied to the opposite side. Registry to tag the affidavit at appropriate place.

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(7) Although, petitioner is stated to be in custody since 19.02.2024; but perusal of para 3 of the affidavit reveals that the mobile phone and SIM Card used in the present fraud were found to be recovered from the petitioner. Para 6 thereof also reveals that apart from above, Rs.18,56,000/- of the complainant has been found transferred in the bank account number of the petitioner, who is beneficiary of A/c No.745805500109, ICICI Bank.

(8) In view of the above, complicity of the petitioner is, *prima facie*, apparent. Thus, no ground is made out to grant him the concession of bail pending trial “at this stage”.

(9) Accordingly, the present petition is dismissed.

(10) The above observations may not be construed as an expression of opinion on merits of the present case in any manner.

Pending application(s), if any, shall also stand disposed off.

12th December, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No