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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60956-2024
Date of Decision:- 18.12.2024

RAHUL SONI ...Petitioner

Vs.

STATE OF HARYANA AND ANOTHER ...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Kunal Choksi, Advocate for petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

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AMARJOT BHATTI, J.

1. Petitioner Rahul Soni has filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.114 dated 25.04.2024 under Sections 419 and 420 IPC (120-B and 204 added later-on) registered at Police Station Cyber Crime Police Station, District Gurugram (Annexure P-1).

2. Facts of the case are that Shaalu Wadhwa filed written complaint to SHO, Police Station Cyber Crime East, Sector-43, Gurugram that she is 51 years old lady doing the work of independent marketing consultant. She is victim of financial scam. On 16.04.2024 she received automated message from FEDEX from No.918172542989 that parcel was stopped at customs on account of some objection and for further information she pressed No.1 which was supposedly of FEDEX employee who came on line. She was informed that parcel could not be sent ahead as there was

contentious issue. She denied to have booked any parcel to Bangkok in Thailand. Details of said parcel were shared. She was made to talk to some CBI Officer as it seems to be a case of identity theft and the call was transferred to him. He also talked to her through SKYPE and disclosed his identity as Rahul Yadav, Senior CBI Officer. He went on asking her personal details and also asked questions relating to said parcel. He kept his video off. She was told that she will be monitored for 24 hours and she cannot talk to anybody. Certain documents were also sent. Process continued for two days. Thereafter, Mr. Rahul Yadav told her that she was innocent and the case will be resolved. Thereafter, he suggested to open new account and to transfer her money in the same. She kept on updating them. She was told to transfer money through RTGS. Ultimately, she transferred Rs.10,32,546/-. Said another senior CBI Officer Abhishek Chauhan came in contact with her who told her that he was head of group and will take over the investigation which is almost complete. She was told to withdraw money from her PPF and to update the same in PNB Account. Ultimately, she transferred said money in the account. She had approximately Rs.21 lakhs plus in saving account in PNB. Thereafter, she called her friend and told her about the trouble. In this way, she transferred total sum of Rs.21,32,546/- and she was cheated of her life time savings.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He is doing business of tax consultation since the year 2017. Aditya Vaishnav and Sumit Parihar used to work in his office. Both of them left job in January, 2024. He had received notice from the police under Section 35 (3) of BNSS, 2023. Apprehending his arrest, he filed

present application for anticipatory bail. No amount has been received in the account of petitioner. He is ready to join investigation as and when required. Therefore, his anticipatory bail may be allowed.

4. Bail application is opposed by learned counsel representing State. Detailed status report has been filed. Co-accused Sumit Parihar and Pukhraj Singh were joined investigation on 14.10.2024. Accused Aditya Vaishnav was joined in investigation on 18.10.2024. Mobile phone used in the occurrence was recovered. Present petitioner is yet to be arrested. He got issued GST No.O8RXQPS5594MIZR of firm namely M/s Shree Krishna Marble and Granite and in its account a sum of Rs.10,32,546/- were credited belonging to complainant. Said GST number was got issued regarding fake concern without verification of antecedents and the address. Co-accused Aditya Vaishnav has named present petitioner. Said firm M/s Shree Krishna Marble and Granite was found to be of accused Sandeep. Whereas another firm namely M/s Acquaint Service for Ambition belonged to Hanif and in the account of said Firm Rs.11 lakhs of the complainant were credited. Call detail record is also procured. Custodial interrogation of present petitioner is required to effect recovery and to obtain information regarding other accused. Therefore, he is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the contents of FIR giving detail of incident how complainant was threatened and influenced to deposit her entire money in one account and the same was syphoned out in other accounts as detailed in the status report referred above. Allegations are serious. Thorough investigation is required. Role of present

petitioner is specific. Therefore, considering the nature of allegations, I do not find a fit case for grant of anticipatory bail and the same is, accordingly, declined.

(AMARJOT BHATTI)
JUDGE

18.12.2024
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Whether speaking/reasoned: Yes/No.
Whether reportable: Yes/No