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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ BAIL APPLN. 75/2024 & CRL.M.A. 7121/2024

VINOD KUMAR AGARWAL .....Petitioner

Through: Ms. Srika Selvam & Mr. Aditya Jain, Advs. with petitioner in person

versus

THE STATE (GOVT OF NCT) OF DELHI .....Respondent

Through: Mr. Amit Ahlawat, APP for State SI Dhirender Kaushik, PS Cyber Cell, Central Mr. Anuj Dhir, Adv. For R-2

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% 18.10.2024

1. Petitioner and complainant are present in the Court and are duly identified by the IO and their respective counsels.

2. Demand Draft No.505339 dated 17th October 2024, drawn on ICICI Bank for Rs. 4,76,323/- has been handed over to the complainant in the Court today who acknowledges the same; he states that they have no objection to grant of anticipatory bail to the petitioner.

3. By this petition, anticipatory bail is sought for petitioner in FIR No.24/2023 registered under Sections 420/120B IPC at PS Cyber Police Station Central, New Delhi. FIR was lodged at behest of complainant alleging cyber fraud committed by the petitioner. It is alleged that over period of time, complainant had transferred amounts to an account which had been intimated to him by the accused-petitioner. When he asked for refund of money, he refused. This was done on pretext of getting a part-

time job for complainant.

4. Petitioner was granted interim protection by order dated 30th January 2024 by this Court after noting the case of the prosecution that a complaint was made by the complainant that a fraud of Rs. 8,68,123/- has been committed upon him, following which the aforesaid FIR came to be registered. During investigation it was found that the amount of Rs.7,73,323/- from the ICICI Bank and Rs.94,800/- from the Axis Bank of the complainant, were transferred into five bank accounts of the accused persons. It was further noted in the said order that the mobile number of the petitioner/accused was found to be connected with the email ID registered in respect of one of the account bearing No.042263300006590 maintained with the Yes Bank.

5. The learned counsel for the petitioner had submitted that none of the five accounts to which the amount is alleged to have been transferred belonged to petitioner and that the aforesaid account maintained with the Yes Bank was not related to him. On his assurance that petitioner will cooperate with the investigation and shall submit his mobile, as well as, relevant SIM to the I.O concerned and shall further cooperate in the investigation, interim protection was granted to petitioner by the said order.

6. Petitioner has since joined investigation and has handed over demand draft, as noted above.

7. In view of the above, the petition is allowed.

8. In light of the above, the Court is of the considered opinion that the petitioner is entitled to anticipatory bail. Consequently, in the event of arrest the petitioner be released on bail on furnishing a personal bond in the sum of Rs. 25, 000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned, further subject to the

condition that the petitioner will join investigation as and when directed and not influence any witness/complainant/victim or tamper with evidence of the case.

9. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 18, 2024/sm