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

\+ BAIL APPLN. 630/2024

SANDEEP @ SONU ..... Petitioner

Through: Mr. Sundeep Sehgal, Advocate.

versus

STATE OF GNCTD ..... Respondent

Through: Mr. Laksh Khanna, APP for State
Mr. N.K. Agarwal, Advocate for complainant.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

<u>O R D E R</u>

% **16.04.2024**

1. The present bail application has been filed under Section 439 Cr.P.C. by the petitioner/applicant seeking regular bail in FIR No. 126/2023 registered under Sections 420/468/471/389/170/120B IPC at Police Station Special Cell, Delhi.

2. Mr. Sundeep Sehgal, learned counsel for the applicant states that the applicant is in custody since 28.05.2023 and charge-sheet having been filed, the applicant is not required for any investigation. He submits that even as per the allegations in the FIR, the applicant has neither contacted the complainant nor is he a beneficiary of the cheated amount. He submits that five of the co-accused have already been released on regular bail.

3. Mr. Laksh Khanna, learned APP for State duly assisted by learned counsel for the complainant has opposed the bail application. It is stated that the applicant is connected with the account maintained in the name of Delta Enterprises in which a sum of Rs.2.7 crores have been received. Though

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Delta Enterprises is shown to be a proprietorship concern of one of the co-accused namely Abdul Munna Sayyad, however the account is maintained by the present applicant. It is stated that during investigation, cheque book relating to the said account was seized from the possession of the applicant. The mobile phone seized from him had screen shots of the account details of the Yes Bank account of Delta Enterprises as well as the Aadhar Card and Pan Card of co-accused Abdul Munna. It is also stated that the email ID connected with the aforesaid account also belonged to the present applicant. Lastly, it is stated that besides the aforesaid, 32 debit cards and 7 SIM cards were also seized from the possession of the applicant. He is also previously involved in three other similar FIRs.

4. I have heard learned counsels for the parties and has gone through the record.

5. The present case relates to online fraud and extortion. In the present case, the complainant had alleged that he received a call on 05.05.2023 thereby informing that a FedEx parcel has been seized by the Customs Department. When the complainant denied any knowledge of the same, she was made to download Skype App. When she downloaded and connected on the duly created Skype ID, she received a call from the profile of ID of Andheri Mumbai East Cyber Crime. In the said call, she was told to breakdown her fixed deposits. She alleged that during the said Skype call, many persons were connected who impersonated as DCP Bal Singh Rajput and one other person identified himself as George Mathew as an RBI official. Upon investigation, all these persons were found to be non-existing. The complainant has been made to part with a sum of Rs.4.47 crores which has allegedly gone into four different accounts. As per the prosecution case,

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the applicant is directly connected with the account of Delta Enterprises in which Rs.2.7 crores were received.

6. Considering the gravity of the offence, I find no ground to entertain the instant bail application and the same is accordingly dismissed.

7. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

APRIL 16, 2024/*rd*

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