107.

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-5459-2025
Date of decision: 30.01.2025

Shashank Suman ....Petitioner

Versus

State of Punjab ....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. S.K. Sinha, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.58, dated 19.06.2024 under Section 409 of IPC, registered at Police Station Maqboolpura, District Amritsar.

Learned counsel for the petitioner submits that the petitioner is, in fact, a victim of cyber crime. It has been asserted that, as an employee of the Bank of Baroda, the petitioner fell prey to cyber criminals on the Telegram App, who lured him with the promise of earning a substantial amount. Subsequently, the petitioner became a victim of digital extortion and was coerced into transferring a sum of Rs.64.10 lakhs to the fraudsters in exchange for the possibility of recovering the money he had already paid. It has been argued that after the misappropriation came to light, the petitioner was suspended by his employer, and during the departmental enquiry conducted by the Bank, he admitted his involvement and repaid Rs.16.10 lakh out of Rs.64.10 lakhs. Learned counsel has emphasized that the petitioner has a clean record prior to this incident and is willing to cooperate with the investigation and hence, he be extended the concession of anticipatory bail.

I have heard learned counsel for the petitioner and perused the material placed on record.

The FIR in question (Annexure P-1) was lodged at the instance of the Branch Manager of Bank of Baroda. As per the allegations, the petitioner fraudulently entered Rs.61.10 lakhs in cash into the account of one of the customers of the Bank and thereafter, transferred these funds into various accounts including transfers into his own account and some other accounts in other banks etc. Following these transactions, the petitioner left his Bank Branch, ceased communication and became untraceable.

Prima facie, there are serious and specific allegations of misappropriation and embezzlement of a huge sum of money from the Bank of Baroda, where the petitioner was employed. Rather, the petitioner has not denied these allegations, but has claimed that he was deceived by fraudsters.

Without delving into the merits of the submissions made by the counsel for the petitioner, at this stage, it is evident that the nature of the allegations against the petitioner is grave, involving financial misconduct.

Therefore, in the light of these serious allegations, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

Present petition stands dismissed accordingly.

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

January 30, 2025
sanjeev

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