2025:PHHC:022021

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-8791-2025 (O&M)
DATE OF DECISION: 15.02.2025

DINESH SHARMA ...PETITIONER

Versus

UNION TERRITOY CHANDIGARH AND ANR
... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amar Vivek Aggarwal, Advocate
Ms. Bhavana Anand, Advocate and
Ms. Arundhati, Advocate for the petitioner.

Mr. Abhinav Gupta, Advocate
Addl. PP, UT Chandigarh.
Mr. Amit Chaudhary, Advocate

Mr. Japneet Singh Wadhwa, Advocate
Mr. Vageesh Marwaha, Advocate
for the complainant.

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SANDEEP MOUDGIL, J (ORAL)

1. **Prayer**

This petition has been filed under Section 482 of Bhartiya Nagarik Suraksha Sanhita (2023), for grant of anticipatory bail to the petitioner in FIR NO. 219 Dated 16-07-2018, Under Sections 420, 406, 120-of Indian Penal Code and Sections 66, 66(C), 66(D) of Information Technology Act 2000, at Police Station Industrial Area, Chandigarh.

2. Prosecution story set up in the present case as per the version in the FIR reads as under :-

'Today in police station Complaint File, according to PW No. 201806982 Dated 04.05.18, C 984/DSP/CCIC and IT dt. 10.05.18 Made by Sh. Vikas Bector E-4 Uppal Marble Arch, MM, Chandigarh against Bhagwant Singh, Harpreet Kaur, Dheeraj Kumar others and Sr.C. Parveen Kumar 1284 CP, CCIC Sec 17 CHD which was on the said complaint I/C Cyber Cell did Enquiry on that basis W/DGP Sahib has Case u/s 420, 406, 120B IPC 66,66 C,66 D, IT Act against 1. Bhagwant Singh S/o Darshan Singh R/o 215 Block B, Solitaire Divine, Himmatgarh, Dhakoli, Zirakpur, 2. Harpreet Kaur W/o Bhagwant Singh R/o 215 Block B Solitaire Divine, Himmatgarh, Dhakoli, Zirakpur, 3. Dinesh Sharma S/o Dev Raj Vill Baroh PO Pairwin, Teh. Barsar Distx Hamirpur, 4. Dheeraj Kumar R/O 1479/1 Sec 61 Chandigarh H.No. 294 Ph-7 Mohali H.No. 5. Anitya Sharma R/O H.No. 2529 Sec 22 C Chd, 6. Vidhur Sharma R/o Gali No. 22, 39 West Chandigarh, 7. Damini Sharma R/o H.No. 2283 D Block 1. Sector 63 Chd, 8. Anusha Bhardwaz R/o H.No. 2023 Sec 21 C Chd has ordered register a case, on which the case no. 219/18 U/S 420, 406, 120B IPC 66, 66C, 66D, I.T Act against 1. Bhagwant Singh S/o Darshan Singh R/o 215 Block B, Solitaire Divine, Himmatgarh, Dhakoli, Zirakpur, 2. Harpreet Kaur W/o Bhagwant Singh R/o 215 Block B Solitaire Divine, Himmatgarh, Dhakoli, Zirakpur, 3. Dinesh Sharma S/o Dev Raj Vill Baroh PO Pairwin, Teh. Barsar Distt Hamirpur, 4. Dheeraj Kumar R/O 1479/1 Sec 61 Chandigarh 11.No. 294 Ph-7 Mohali H.No., 5. Anitya Sharma R/O H.No. 2529 Sec 22 C Chd, 6. Vidhur Sharma R/o Gali No. 22, 39 West Chandigarh, 7. Damini Sharma R/0 H.No. 2283 D Block 1, Sector 63 Chd, 8. Anusha Bhardwaz R/o H.No. 2023 Sec 21 C Chd entering in register of police station original complaint File under Computerized Copy of FIR for investigations was forwarded C Nijd 1/C Cyber Cell and is being sent in original by hand on May 4,2018 To, Senior Superintendent of Police, Chandigarh Police Headquarters, Sector- 9, Chandigarh. Subject- Request for registering FIR against the accused persons for fraud in I.T. Company 1. Bhagwant Singh ("Accused No. 1") S/o Darshan Singh R/o House No 215, Block B, Solitaire Divine, Himmatgarh, Dhakoli, Zirakpur. MobileNo-9888808001.

2. Harpreet Kaur (" Accused No 2") W/o Bhagwant Singh, R/o House No 215, Block B, Solitaire Divine, Himmatgarh, Dhakoli, Zirakpur.

3. Dinesh Sharma ("Accused No.3") S/o of Dev Raj, R/o Village Barch, P.O. Fairwin, Tehsil Barsar, District Hamirpur. Mobile No-9560333770.

4. Dheeraj Kumar (" Accused No 4") R/o House No 1479/1, Sector 61, Chandigarh and House No 294, Phase 7, Mohali. Mobile No-8146588939.27

5. Anitya Sharma ("Accused No 5) R/o llouse No 2549 22-C, Chandigarh.

Mobile No- 9882067868. 7. Damini Sharma (Accused No 7) R/o House No 2283 D. Block 1, Sector 63, Chandigarh. Mobile No-7888650274 6. Vidur Sharma ('Accused No 6) Rio Gali No 22, 39, West Chandigarh.

Mobile No-9501784136. 7. Damini Sharma R/o 11.No. 2283 D Block 1, Sector 63 Chd,

8. Anusha Bhardwaj (Accused No 8) R/o House No 2023, Sector 21C, Chandigarh. Mobile No- 9988708942.

For committing the acts of Cheating, Fraud, Criminal Conspiracy, Criminal Breach of Trust under Sections 65, 66 B, 66-C, 66-D, 72 of the Information Technology Act, 2000, Sections 34, 120-B, 379, 420, 464, 468 of the Indian Penal Code, 1860, Sections 447, 453 of the Companies Act, 2013 and all other Sections applicable.

Sir, It is respectfully submitted as under: The present complaint is being filed by (i) 'VWish Solution Private Limited (vwish.in), WeFix LLC (wefix365.us) & "VFix LLC" (vfix365.us) through their authorized signatory Vikas Bector (Copies of Board Resolutions authorizing Vikas Bector to file the present complaint on behalf of the aforesaid companies is attached as ANNEXURE C-C) and (i) Vikas Bector, S/o V. K. Bector, R/o E-4, Uppal Marble Arch, Manimajra, Chandigarh, authorized signatory/Director of 'VWish Solution Private Limited, a private limited company having its registered office at House No. 498-B, Sector 61, Chandigarh and its operator office at Plot No 130, First Floor, Industrial Area Phase 1, Near Elante Mall, Chandigarh, and as well as of WeFix LLC' & 'VFix LLC' (hereinafter referred to as the "Company") engaged in the business of providing information technology enabled services to its international clients. Copy of MoA/MoU, Master Agreements it: attached herewith as ANNEXURE C-1, ANNEXURE..B. C-2 and ANNEXURE C3 respectively and Other Service Provider Category License of the Company is annexed herewith as ANNEXURE C-4.

The facts leading to the present complaint are as follows:-

1. That Bhagwant Singh i.e. Accused No. 1 from the year 2012 started alluring me to establish an information technology enabled services company wherein he would solely be responsible for all technical services provided by the company due to his vast knowledge and experience in the field of information technology for over 15 years. Accused No.1 represented that the Company would generate revenue between 8000 to 10000 US dollars per day and painted a picture of us earning a fortune together through this business venture. All the relevant mails in this regard will be provided at the time of investigation, whereas 4 (four) e-mails are attached 'herewith as ANNEXURE C-5, ANNEXURE C-6, ANNEXURE C-7 and ANNEXURE C-8, respectively.

2. That Accused No.1 induced me to invest in the said business resources. That since Accused No.1 was my good friend since the last 20 years; I had complete trust in him and believed in his proposed business venture (Accordingly we established the Company on February 26, 2014 wherein made 100% investment, whereas Accused No.1 did not invest any amount

3. That Accused No, 1 started working at the company in the capacity of an additional Director (Copy of Form DIR-12 in respect of Accused No.1 is attached herewith as ANNEXURE C-9) and was responsible for day to day management of all information technology services, data handling and advertisement of the Company All online banking username and password of WeFix LLC and VFix LLC were with Accused No. 1 Moreover, Accused No.1 was also responsible for staff management and appointing employees. Accused No.1 employed his wife Harpreet Kaur (Accused No 2) as a 'Senior Web Designer along with Accused No.3 i.e. Dinesh Sharma who was a close aide of Accused No.1 and started working in the capacity of Operations Head. Copy of salary slips of Accused Nos. 2 and 3 for the months of April 2017 to September 2017 are attached herewith as ANNEXURE C-10 and ANNEXURE C-11, respectively. Additionally, Accused No. 1, appointed Anitya Sharma i.e. Accused No.5, Vidur Sharma i.e. Accused No.6, Damini Sharma ie. Accused No. 7 as Technical Support Associates, while Anusha Bhardwaj i.e. Accused No. 8 was appointed as a 'Quality Analyst'. The aforementioned employees so appointed worked closely with Accused No.1 in the Company and were answerable only to Accused No.1. Appointment letters of Accused Nos. 5-8 along with their salary slips are attached here with as ANNEXURE C-12 (Colly.), ANNEXURE C-13 (Colly.), ANNEXURE C-14.. (Colly.) and ANNEXURE C-15(Colly.), respectively. A list of employees along with their details is attached herewith as ANNEXURE C-16. The employees designated as Technical Sales Associates may be summoned and their statement be recorded because Accused Nos. 1 & 3 used to instruct them to make sale from Company's clients into account of NetLogic.

4. That from 2014 onwards having worked for a year at the Company and being primarily and solely responsible for conducting all of the operations and data handling of the Company, Accused No. 1 sensed an opportunity for committing fraud with the Company and me. That the Accused No. 1 along with Dheeraj Kumar i.e. Accused No.4 opened a partnership firm in the name and style of 'Netlogic' in 2015, having a current bank account no. i.e. 005805007542 at ICICI Bank, Phase-7, Mohali.

5. That it is submitted that Other Service Provider (OSP) license is mandatorily required to be obtained by a call center from the Department of Telecommunication (DoT) and an Import Export (IE) license is also *mandatory for receiving International currency into India. The aforementioned licenses can only be granted to a company that is registered under the Companies Act and not to a partnership firm. The Accused No.1 & 4 fraudulently floated a partnership firm named 'NetLogic' and illegally used Company's OSP and IE license to do their illegal business The relevant DoT guidelines are attached herewith as ANNEXURE C-17. The illegal VoIP calls by Accused persons also resulted in loss to DoT in crores of rupees. Copy of a news cutting showing such loss of revenue to DoT using illegal international gateway and illegal call center is attached herewith as ANNEXURE C-18.*

6. That it is submitted that Accused No.1 fraudulently started using private and confidential data of the Company's clients and instructed all employees of the Company to book sales on 'NetLogic' also along with VFix and WeFix.This fact came to the knowledge of Complainant Company and myself when some employees informed that Accused No. 1 & 3 were diverting sales from-Company's gateways to illegal gateways of 'Net.logic. The recording of telephonic conversation and screenshots of conversations via WhatsApp between the Complainant and he employees are being attached herewith as ANNEXURE C-19 (Colly.) and voice recording via CD is attached herewith as ANNEXURE C-20.

7. That the Accused persons might have created many illegal websites for fraudulent sales showing 'web design studioz (as company) which is not registered under the Companies Act, 2013. The details of 'web design studioz are attached herewith as ANNEXURE 21 CA (Colly).

Three other websites known to the Complainant which have been created by Accused No. 1 for doing such fraudulent sales are www.netlogics.uswww.netlogicslle.com/ www.canonprintersupport.us w hich are not registered as Company anywhere, these are fake websites and there is a high possibility that the accused persons might have created more such websites to commit fraudulent sales for their partnership firm wherein they used the Company's entire infrastructure such as toll free numbers, marketing cost, employees of the Company, illegally and without any permission to fraudulently engage with all the clients of the Company with 'NetLogic', thereby causing a huge loss to the Company as it lost majority of its clients due to this fraud played by the accused persons. Latest printouts of the said websites are attached herewith as ANNEXURE C-21 (Colly.)' ANNEXURE C-22 (Colly.) and ANNEXURE C-23 (Colly.), respectively.

That the Company's clients were misled by all Accused persons to pay on an illegal international gateway (illegal international gateways are commonly used to bring foreign currency in India illegally) linked to

'Netlogic' in USA The US Dollars which were received on illegal international gateway were then illegally transferred and received by Accused persons in Indian currency, thereby indulging in money laundering. It is pertinent to note that the illegal international gateway used by the accused persons is not associated with Company.

9. That Accused No. 1 paid some amount to Accused No.4 for a period of months, before removing and replacing him with Accused No.2 as a partner in the firm namely 'NetLogic', thereby taking entire control of partnership firm to continue with his fraudulent activities. It is submitted that Accused No.1 committed fraud with the Company from the time when he opened the partnership firm with Accused No.4, till the time he resigned as the director of the Company (Voice recording of Accused No.4 with the Complainant wherein Accused No. 4 has admitted that he was a partner in the aforementioned firm is recorded in the CD already attached herewith as ANNEXURE C-20). Accused No. 4 thus colluded with Accused No. 1 to commit fraud upon the Company.

10. That I first became skeptical about the fraud in January 2018 when the employees of the Company asked for extra incentives on account of the huge sales made by them which were not being reflected in the Company's data and when most of the employees started leaving the Company on one issue or the other. In fact, sales of the Company started declining which is clear from ICICI Bank statement of the Company attached herewith as ANNEXURE C 24 and Kotak Bank statement attached herewith as ANNEXURE C-25. Due to the fraudulent acts of Accused persons, the Company suffered huge economic losses to the tune of approximately more than Rs. 40 crores in 4 years due to which I was unable to pay the salaries of the Company's employees and the Company's operations had to be eventually shut down. The average amount received in Company was around USD 3000 per day. Expected sale as per Accused No.1 (Ref: ANNEXURE C-5 and C-8) was USD 10,000 per day. Thus, it is clear that Balance payment was diverted to illegal international gateways by the Accused persons. Please refer to ANNEXURE C-26 for details of sales figures of the Company from 2014 to November2017 which proves that Accused persons were just crediting sales worth USD 3000 per day average and the rest of the sales were diverted to account of 'Net Logic'.

11. That as part of a planned conspiracy Accused No. 3 resigned from the Company in October 2017 and Accused No.1 resigned on December 10,2017 (resignation letters are attached herewith as ANNEXURE C-27 and ANNEXURE C-28, respectively) and formed a new venture with Accused Nos. 1 & 2 and Accused Nos. 5-8 certainly doing illegal business from Mohali by soliciting Company's clients. All the Accused persons *committed theft of the Company's confidential data from its server and are presently using the same in their illegal business. That on information received from ex-employees of the Company in January 2018, when the Company was nearly about to be closed, it was found that the payments were charged over international gateways such as 'VFIX LLC, WEFIX LLC and 'NetLogic. At this point, it came to the knowledge that an unauthorized and illegal international gateway was used by the Accused persons to illegally and fraudulently transfer the US dollars by using infrastructure, resources and data of the Company for personal motive and gain. A list of employees along with their details is already attached herewith as ANNEXURE C-16. It is requested to make the aforementioned employees part of this investigation and ascertain their role in the fraud. That the Accused persons were illegally diverting the sales of the Company via illegal international gateway which was solely owned and operated by the accused persons. Additionally, foreign currency was being received by Accused persons via illegal international gateway access in India which amounts to approximately Rs. 40 crores from 2014 to 2018 and constitutes offences under the Foreign Exchange Management Act, 2000 and the Complainant is separately filing a complaint before Enforcement Directorate / Directorate of Revenue Intelligence/ Department of Telecommunications to investigate and book the accused persons under the said Act.*

The total amount received in Company for sales made during 2014 to November 2017 is already attached herewith as ANNEXURE C-26. That the Accused persons have breached the trust of the Complainant and have siphoned off approximately more than Rs. 40 crores by misguiding and misleading the clients of "VWish Solution Private Limited", "WeFix LLC", "Vfix LLC by receiving foreign currency and getting it converted into Indian currency, thereby violating the provisions of the Foreign Exchange Management Act, 2000 (FEMA) and Prevention of Money Laundering Act, 2002 (PMLA).

15. That the Accused persons have committed the crime by using Company's infrastructure, office space, computers, confidential data, client details, and presently also using the company confidential data for frequenting sales' on international illegal gateways from their hidden location in Mohali, which can be traced by their mobile location (address if found the same will be provided to the investigation officer by the complainant).

16. That Accused. No. 1 is still blatantly using the Company's' data and confidential information. It is imperative that the matter is investigated with the seizure of mobile phones, computers, laptops, server and other *equipment of the Accused persons as there is a strong likelihood of the evidence getting deleted/destroyed, thereby resulting in the tampering of The investigation. The customers used to call 'WeFix LLC & VFix LLC, however, the Accused No. 1 and other Accused persons, though being Director and employees of VWish Solution Private Limited", "WeFix LLC & VFix LLC used to give instructions to clients to make payments on an illegal gateway linked with "NetLogic'. Entire service to client was rendered by using infrastructure of Company but the revenue/sales were illegally diverted to NetLogic'. Thus, the Accused persons knowingly and intentionally concealed, destroyed and altered the computer source code used by the Company and are liable to be prosecuted for the same.*

17. That there is a strong likelihood that the Accused persons have used Hawalas to transfer the money fraudulently received by them by making use of the Company's sources. Hence, the matter needs thorough investigation and probe as such transactions are illegal under FEMA and PMLA.

18. That the Accused persons are required to be dealt with strictly and there is every likelihood that they would flee from the country for which it is imperative that the passports of the Accused persons are seized immediately on investigation of this complaint.

19. That the Complainant reserves his right to file separate complaints against the Accused persons before the Income Tax Department, Directorate of Revenue Intelligence/Ministry of Corporate Affairs, Reserve Bank of India and Enforcement Directorate, Department of Telecommunication, civil courts and all other relevant authorities.

20. That there is a possibility that the Accused persons are part of the chain that are all involved in high level of scam in USA by using illegal method to cheat US clients through various entities and hence a thorough investigation is required. The Accused persons have dishonestly received stolen computer resource and communicating devices owned by the Company. The Accused persons are still using the Company data and confidential information and doing their illegal business from Mohali.

21. That the Complainant is ready and willing to extend all cooperation with your office in investigating and prosecuting the Accused persons and the Complainant is ready to bear all the expenses for hiring a cyber security expert for assistance in the investigation.

22. That the Accused persons have hatched a criminal conspiracy and in pursuance of the same have committed the above illegal acts, causing huge losses to the Company of an amount approximately more than Rs. 40 crores by diverting the Company's funds to their partnership firm by using an illegal international gateway and by stealing the confidential and private data of the Company from 2015 till January 2018. The Accused No.1 has *breached the trust of the Company of which he was a director by committing this fraud against the Company. The Accused No.1 took advantage of his position as a director of the company and illegally diverted rightful dues of the Company to the account of Netlogic and his other personal accounts. In view of the submissions made above you are requested to carry out a detailed investigation to stop accused persons from using the Company's toll free numbers on their website and register a First Information Report (FIR) which will conclusively establish the criminal charges of Cheating, Fraud, Criminal Conspiracy, and Criminal Breach of Trust. Yours Sincerely, Vikas Bector Authorized Signatory. (Complainants) 1. VWish Solution Private Limited', 'WeFix LLC & 'VFix LLC, (through their authorized signatory Vikas Bector) 2. Vikas Bector Director of 'VWish Solution Private Limited', 'WeFix LLC & VFix LLC, R/o E-4, Uppal Marble Arch, 102222222 Manimajra, Chandigarh. 9463111111.'*

Submissions

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated based on the disclosure statement made by co-accused Dheeraj, which holds no evidentiary value. It is further contended that no notice under Section 35 of the BNSS Act, 2023, has been issued to the petitioner. Counsel asserts that the present FIR was registered subsequent to the resignation of the petitioner in November 2017. The petitioner, being a salaried employee, did not receive any pecuniary benefit other than his salary. The petitioner expresses a willingness to cooperate fully with the investigation and undertakes to join the same.

On behalf of the State

Learned State counsel assisted by learned counsel for the complainant have prayed for dismissal of the present petition alleging that the petitioner along with his partner Bhagwant Singh floated a partnership firm under the name and style NET LOGIX(INDIA) and siphoned of around Rs. 40 Crores of the complainant and his company and in this way cheated and committed fraud with the complainant.

4. Analysis

The allegations against the petitioner are that, while employed with the complainant, he misused the data of the company and payment gateway, thereby causing wrongful loss to the complainant and wrongful gain to himself and his co-accused. As per the case of the prosecution the petitioner alongwith his co-accused has siphoned of around Rs. 40 Crores of the complainant and his company. The petitioner has used the data and record relating to the company of the complainant.

The main accused, Bhagwant Singh and Harpreet Kaur, are yet to be arrested, and according to the prosecution, the petitioner alone can provide information regarding their whereabouts. Additionally, the petitioner, being a technocrat, is in a position to disclose the *modus operandi* used to misappropriate the complainant's database and exploit its payment gateway. Regarding jurisdiction at this stage, it cannot be conclusively determined that the Chandigarh Police lacked jurisdiction to register the case against the petitioner.

Such an allegation certainly requires adequate and intense investigation to unearth the truth. The mere contention that the petitioner are ready and willing to join the investigation does not vest a right for grant anticipatory. The case made out against the petitioner is certainly a relevant ground for denial of anticipatory bail in the case in hand at this stage.

The Hon'ble Supreme Court in the case of ***Sumitha Pradeep Vs. Arun Kumar C.K. & Anr. 2022 Live Law (SC) 870*** held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the prima facie case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

> "*It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.*
> *Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.*
> *We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter,*

> *the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail."*

More so, investigation is still going on in the present case. It is settled proposition of law that power exercisable under Section 438 Cr.P.C. (now Section 482 of BNSS), is somewhat extraordinary in character and it is to be exercised in exceptional cases. The Supreme Court in ***"State vs. Anil Sharma"; (1997) 7 SCC 187,*** held as under:-

> *"We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favourable order under Section 438 of the code. In a case like this effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also material which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods needs not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."*

In view of the seriousness of the allegations as also the need to take the investigation to its logical conclusion, the custodial interrogation of the petitioner(s) is certainly required. Therefore, I find no merit in the instant petition, hence, the same is hereby dismissed.

However, it is made clear that the observations in this order are only for the purposes of deciding this bail application and the trial Court is free to adjudicate upon the matter in accordance with law.

(SANDEEP MOUDGIL)
JUDGE

15.02.2025
Sham

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*