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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9528-2025
DECIDED ON: 02.04.2025

DEEPAK KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. B.S. Virk, Sr. DAG, Haryana.

Mr. Nakul Sharma, Advocate
for the complainant.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked for the second time under Section 482 of BNSS for the grant of anticipatory bail to the petitioner in case FIR No. 30 dated 28.08.2024, under Sections 419, 420, 467, 468, 471 and 120-B of IPC, 1860 but during investigation Section 201 of IPC, 1860 has been added registered at Police Station Cyber Crime, District Fatehabad.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

> *"Acknowledgement number 21308240031432 dated 05.08.2024. Complainant Praveen Kumar son of Sh. Sheetal Prasad resident of Tibba Colony, Ratia. Mobile number 9992144425. Complaint was received on national cyber crime*

reporting portal, which is as follows To, The Bank Manager, HDFC Bank, Ratia, Fatehabad, Haryana. Subject:- Loan account has been opened without cross checking of documents. Respected Sir, it is requested that myself Praveen Kumar son of Shri Sheetal Prasad is resident of Tibba colony, Ratia District Fatehabad, and I want to tell you that I have savings bank account in HDFC Bank, Ratia branch bearing account number 50100266390079 IFSC code HDFC0001479 and on dated 28 May 2024 some money has been withdrawn without my permission and regarding the same I have not received any OTP from bank and neither my signatures were taken and when then I went to the bank and asked them, then the bank told that you have taken 15,00,000 rupees personal loan bearing account number 143482290. When I obtained the full details of this account, then I came to know that after opening the said loan account, some documents have been forged and in the same account there is my father name and my PAN card is there and address of salary slip along with passport size photo and mobile number and one Bank account is of some other person and due to this reason till today, I was not aware about this loan and the other person has used my documents and obtained loan. He also got transferred the loan amount in his another account and is also paying the installments. It is requested that from today i.e. 01 August 2024 it should be stopped and the charges which have been deducted from my account, be returned back and from 01 August 2024 any saving, current or loan card, cheque book, etc. be closed and so much has happened with your bank and I want a written reply for this so that I can inform the police. Applicant Praveen Kumar 9992144425. In this regard, the complainant has presented another application which is as follows To, The Station House Officer, P.S. Cyber Crime, Fatehabad. Subject:- Regarding cheating by editing my Aadhar card and PAN card and by giving his own address to obtain loan from the bank. Respected sir, it is requested that myself Praveen Kumar son of Shri Sheetal Prasad is *permanent resident of Tibba colony, Street number 9/2 Ratia and is a labour by profession. I am graduate and I am having saving bank account number 50100266390079 IFSC code HDFC0001479 in HDFC Bank Ratia. On 28.07.2024, when I went to HDFC Bank Ratia to check my account, then Bank officials told that Rs. 3588 has been deducted from my account on 28.05.2024. When I asked them the reason that why this Rs. 3588 has been detected from my account then they told that in your account number 50100266390079, Loan of Rs. 15 lakhs is going on. I told them that I have not taken any loan. I have not received any OTP regarding the loan and no other verification has been carried out and even also I have not received any OTP for deduction of Rs.3588. They have also told that mobile number 9518003499 is registered with your loan account and also told me about Parveen Kumar son of Surjan Singh, resident of Ramnagar colony, Ratia. I have given an online complaint number 21308240031432 dated 05.08.2024. I enquired at my own level and through my known persons and got the information that Praveen Kumar son of Surjan Singh, resident of Ramnagar Colony, Ratia Fatehabad has got edited my Aadhaar card and got pasted his photo on my Aadhaar card and PAN card and by giving salary account number 32776479128 of SBI Bank got loan of Rs.15 lakhs and that he has committed cheating with me by editing my Aadhaar card and pasting his photo on the same. Employees of the loan department of HDFC Bank have also connived with Praveen Kumar, son of Surjan Singh. On dated 27.08.2024, when I checked my civil (CIBIL) by giving my Aadhaar card and PAN card and mobile number 9992144425, then I found that my civil (CIBIL) was down. When I went to the ICICI bank regarding my civil (CIBIL), then they told that you have taken loan also in account credit Card number number LPFAT00048395817, and 0000000027619491 and the mobile number is 8950742934 and by editing my Aadhaar card and PAN card, Parveen Kumar son of Surjan Singh has taken a*

> *loan of Rs.19,00,000 from ICICI Bank. I came to know that Praveen Kumar son of Surjan Singh along with employees of the loan, department of HDFC bank collectively by editing my PAN card and Aadhaar card have taken around three loans. Therefore, it is requested that Parveen Kumar son of Surjan Singh, along with the employees of loan department of HDFC bank and ICICI Bank have jointly edited my Aadhaar card and PAN card and after investigating strict legal action be taken against them. After giving online application, I went to Police Station Cyber Crime, Fatehabad and told that I am enquiring at my own level. I will give an application in Police Station Cyber Crime Fatehabad for legal action. Until then I am enquiring about my loan. that who has taken loan in my name. Today, I am present in Police Station Cyber Crime, Fatehabad. Legal election be taken on my application."*

3. Learned counsel for the petitioner has brought a demand draft bearing No.026109 dated 01.03.2025 amounting to Rs.1 lakh in the name of Yes Bank Ltd., a copy of which is taken on record as Document A.

4. The demand draft has been accepted by Mr. Aashiv Bhayana, Senior Legal Manager at Yes Bank, and it has been handed over to him.

5. In the light of above, once the petitioner has shown his *bona fide* as there is no other amount which was transferred/credited to the account of the petitioner, it would be suffice to accept the present petition at this stage particularly in the light of undertaking given by learned counsel for the petitioner having instructions to submit that the petitioner will join the investigation within a period of one week from today.

6. In case of doing so, he shall be released on anticipatory bail subject to him joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety

bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

> *'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*
>
> *(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
>
> *(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
>
> *(iii) a condition that the person shall not leave India without the previous permission of the Court;*
>
> *(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

7. At this stage, the learned counsel for the complainant requests clarification from the petitioner regarding which account Rs. 1 lakh should be adjusted to, and this information is to be provided solely by the petitioner.

8. Mr. Vikas Bishnoi, learned counsel for the petitioner, states that the petitioner will provide the necessary information to the investigating officer, as he does not have the details readily available. Therefore, it is directed that the petitioner, Deepak Kumar, shall disclose the details of the loan account to which Rs. 1 lakh will be adjusted by the Bank, upon his joining the investigation.

9. However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

10. The present petition is allowed in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

02.04.2025
Poonam Negi

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