



229

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-45877-2024 (O&M)

Date of decision: 13.01.2025

Vipan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. M.S. Kathuria, Advocate,
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking concession of regular bail under Section 439 Cr.P.C. in case FIR No. 248 dated 26.12.2022 under Sections 419, 420, 120-B of IPC and Section 66(D) of the Information Technology Act, registered at Police Station Sarabha Nagar, Ludhiana.

2. Learned counsel for the petitioner *inter alia* contends that there is no grain of truth in the allegations levelled in the FIR in question that the petitioner had misrepresented himself to be a senior police official and thereafter tried to forge a relationship online with the complainant, who had been introduced to him through Jeewansathi.com. It has been contended that investigation in the present case is complete, charges also stands framed, however, till date none of the 13 prosecution witnesses has been examined, hence, there is no possibility of the trial concluding in the near future. A prayer has, therefore, been made to extend the concession of bail to the

2025-PHHC-003713



petitioner.

3. Per contra, learned State counsel has vehemently opposed the prayer and submissions made by the counsel opposite by drawing the attention of this Court to the serious allegations levelled against the petitioner in the FIR in question. Learned State counsel, on instructions, has submitted that all the monetary transactions between the complainant and the petitioner were duly documented and they were by way of bank transactions; It has also been brought to the notice of the Court that this is not the first time the petitioner has played fraud upon an innocent person, rather a case of identical nature already stands registered against the petitioner in the State of U.P., and after he was enlarged on bail in the said case, the petitioner had absconded and had been declared a proclaimed offender; in this regard, an FIR under Section 174-A of IPC had also been lodged against him. Learned State counsel, on instructions, has further submitted that in the above factual background, in case the petitioner is enlarged on bail, there is every likelihood that he could again abscond resulting in further delay in the trial as also could intimidate and influence the witnesses, since none of them have been examined till date.

4. I have heard learned counsel for the parties and perused the relevant record.

5. It would be apposite to reproduce the contents of the FIR, which has been reproduced in the petition itself :-

“At this time a complaint from Teetesh Mathur bearing complaint PGD 33551+Complaint No. No. 33636 dated 29.09.2022 has been received through post for registration of FIR, contents are as follows: I started talking with Vipin

2025-PHHC-003713



Kumar on Jeewansathi.com since 05 April, 2022. We both liked each other profile and were talking with each other for 2 months but could not meet due to paucity of time. He said that he belongs to South Ex and in his house only his mother and 2 dogs are there. I thought he was a genuine person. he represented himself as an inspector in CBI and shared some pictures and videos. Suddenly, he called me on 29.06.2022 that he came to West Bengal for CBI case and I have received gun shot, please help me. I helped him and he admitted himself in a private hospital. Slowly emotionally he made me pay bills for Rs. 30 lakhs. For this I took overdraft and personal loan. The way he represented emotionally and mentally, the bills of the hospital by grieving I felt everything is genuine and he said I would pay all of money to you when after getting discharge from the hospital. But, when on 08.09.2022 he came to meet but this was not the person whose pictures and videos were shared. He was a different person and then he said his full body surgery had been done and he denied to return the amount to the complainant. Sd/ Teetesh Mathur. This complaint has been marked by hon'ble Police Commissioner, Ludhiana to the Incharge of Cyber Cell Unit-2, Ludhiana for inquiry. The incharge of Cyber Cell, Ludhiana has mentioned in his report that on the basis of our investigation, witnesses, other complaint related documents and record received from the bank and on consideration of all these It is found that complainant register herself with ID No YZZT1621 on Jeewan Sathi app for her marriage and after some time Vipin Malik whose ID No. WVUT 0991 on Jeewan Sathi App started talking with complainant through Jeewan Sathi app on 05.04.2022. Vipin Kumar/ Vipin Malik whose Aadhaar No. 497031140375 and mobile no is 81309- 83194, 99109-69187, 95604-01398. These mobile no. were also investigated and find that mobile no 81309-83194 is registered on the name of

2025-PHHC-003713



Sunil Kumar S/o Narian Singh R/o 168-A, Near Shiv Mandir, Rajput Mohalla, Gounda, Delhi. Mobile no. 99109-69187 is registered on the name of Rupa Rani W/o Ram Bhadur R/o 28/2nd floor Gali no 02, Near Durga Mandir, Karkar Dhuma, East Delhi. Mobile No 95604-01398 is registered in the name of Vipin Kumar S/o Jagpal Singh R/o Badpur Jatt, Gurukul Nurse Haridwar, Uttrakhand. Id no WALTOS91 of Jeewan Sathi App to the complainant that he was a posted as inspector in the CBI department in CBI Branch Lodhi Road, New Delhi. After some time Vipin Kumar Id No WVUT0991 on Jeewan Sathi app talked to the complainant related with life and family. Whose told us that he joined as inspector in 2014 and next in month of April Vipin Kumar/ Vipin Malik took Rs. 75000/- from the complainant and said We will meet soon and at that time I would give your money back and after that he made me Rs. 9600/- transfer through Paytm on Mobile No. 98108-26660, and said to the complainant that I don't know how to use the Net Banking. After this he was sharing his daily routines with the complainant. When the The complainant said to the Vipin Kumar that we should talk on video call, he said that he was very busy in his job and we will meet soon. On 21.06.2022 Vipin Malik said to the complainant that he got the case in West Bengal, Jalpai Gudi. On 29.06.2022 he called me and said that We were total 9 officers in this case out of which 4 are dead and I have received gun shot and I am admitted in hospital. I need better hospital please, help me. After that I said to him he inform in his home to his mother and uncle but he said that he could not inform to his family because if he will tell to his mother, she would die and he also said you pay my bill, soon. will come and pay all of your money and I will receive money of my medical and also this money I will give you. For multiple medical surgeries Rs. 25,93,000/- (Twenty Five Lakh Ninty Three Thousand Rupees) transferred



in his account no 100129213616 INDUSING Bank FSC Code IND 000804 through Paytm and Google Pay by complainant, record of the same was obtained which came in the name of Vipin Kumar after which the complainant became suspicious and made a complaint and the account on Paytm on which Rs. 1600/- were sent by the complainant, record of the same was obtained which was found to be of one Ptapati Store, Shop No. 3, House No. 2, Flat No. 1, Village Manakpur, Indirapuram, Gaziabad, UP. That the above named Vipin Kumar by introducing himself as CBI officer has made a fraud of approximately Rs. 25,93,000/- with complainant Teetash Mathur. These accused are: 1. Vipin Kumar S/o Jagpal Singh R/o Badpur Jatt, Gurukul Nurse Haridwar, Uttrakhand, 2. Kathi Store, Shop No. 3, House No. 2, Flat No. 1, Manakpur, Indrapuram, Gaziabad, U.P., 3. Sunil Kumar S/o Narian Singh R/o 168-A, Near Shiv Mandir, Rajput Mohalla, Gounda, Delhi, 4. Rupa Rani W/o Ram Bhadur R/o 28 / 2nd floor Gali no 02, Near Durga Mandir, Karkar Dhuma, East Delhi, against them FIR be registered and they be investigated for commission of offenses u/s 419,420,120-B IPC and section 66 (D) of the Information Technology Act. Higher officials may kindly order for registration of FIR U/s 419,420,120-B IPC and section 66 (D) of the Information Technology Act, against the accused, 1. Vipin Kumar S/o Jagpal Singh R/o Badpur Jatt, Gurukul Nurse Haridwar, Uttrakhand, 2. Kathi Store, Shop No. 3, House No. 2, Flat No. 1, Manakpur, Indrapuram, Gaziabad, U.P., 3. Sunil Kumar S/o Narian Singh R/o 168-A, Near Shiv Mandir, Rajput Mohalla, Gounda, Delhi, 4. Rupa Rani W/o Ram Bhadur R/o 28/ 2nd floor Gali no 02, Near Durga Mandir, Karkar Dhuma, East Delhi. ACP, PBI, Economic Offenses and Cyber Crime, Ludhiana had represented his report before Commissioner of Police, Ludhiana through proper channel for registration of the FIR on which Commissioner of Police, Ludhiana after

2025-PHHC-003713



consideration has ordered for registration of FIR and noted "SHO Sarabha Nagar, Register a case and investigate. Sd/- Mandeep Singh Sidhu IPS, C.P. Ludhiana. 24.12.2022" That on today receiving the complaint an FIR was registered for commission of the above mentioned offenses against:-1. Vipin Kumar, 2. Kati Store, 3. Sunil Kumar, 4. Rupa Rani. Information was sent to control room. Original complaint along with inquiry report, relevant documents and copy of FIR is being sent to INSP/SHO Jagdev Singh for further investigation to PS Ladowal, Ludhiana."

6. Therefore, in view of the above specific allegations levelled against the petitioner, coupled with his involvement in identical criminal cases, this Court does not deem it fit to extend the concession of bail to him, more so when the prosecution evidence has yet not commenced, after the charges were framed as recently as on 23.12.2024.

7. Dismissed.

8. However, it is made clear that anything observed here-in-above shall not be construed to be an expression of opinion on the merits of the case.

13.01.2025

Satyawan

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No