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

\+ BAIL APPLN. 4515/2024

SIRMAL KUMAR THAKUR .....Petitioner

Through: Mr. Yashwant Kr. Shahi and Mr. Baban Sharma, Advocates

versus

THE STATE NCT OF DELHI THROUGH SHO .....Respondent

Through: Mr. Aman Usman, APP for State with SI Rohan Singh, PS Cyber West

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **21.01.2025**

1. The present petition has been filed seeking anticipatory bail in connection with FIR No. 0039/2024 under Section 420 IPC registered at Police Station Cyber Police Station-West.

2. The notice was issued by this Court *vide* order dated 09.12.2024 with a direction to State to file a status report. The status report has been filed by the State and the same is on record.

3. A perusal of the status report reveals that the FIR was registered on the complaint of one Sanjeev Kumar Gupta wherein he has alleged that a cyber-fraud was committed with him and an amount of approx. Rs. 20 lakhs was fraudulently transferred from his A/c No. 025501529522 maintained with ICICI Bank as well as from A/c No. 646010035413 maintained with

Kotak Bank.

4. During the course of investigation, it was found that an amount of Rs. 10 lakhs was transferred in ESAF Bank A/c No. 20240000004486 held by M/s Balaji Packers and Movers which was opened by Ashok Kumar as a sole proprietor thereof. Further investigation revealed that the fraudulently transacted amount of Rs. 10 lakhs was again transferred to one Bandhan Bank A/c No. 10200004315345, opened in the name of the petitioner/applicant.

5. From the statement of account provided by the Bandhan Bank, it has come to light that a total sum of Rs. 13 lakhs was withdrawn in cash from the said account by the petitioner himself.

6. The petitioner was granted protection by the learned ASJ and thereafter he joined investigation but he did not cooperate and did not disclose the details of various amounts received in his account. It is also mentioned in the status report that the bank statement provided by the Bandhan Bank with regard to the account of the petitioner for the period 24.05.2021 till 03.08.2024 reveals that an amount of Rs. 3,75,55, 133.02/- has been credited to his account.

7. It is also stated in the status report that the petitioner has failed to provide justifiable answer for the fraudulent credited amount of Rs. 13 lakhs including Rs. 10 lakhs.

8. Since the investigation is at the initial stage and the petitioner has not cooperated during investigation and has not provided details of various amounts credited to his account, this Court is of the view that to unearth the money trail as well as to ascertain the involvement of other persons, the petitioner's custodial interrogation is imperative. Therefore, this Court does

not find any reason to grant anticipatory bail to the petitioner.

9. Accordingly, the petition is dismissed.

VIKAS MAHAJAN, J

JANUARY 21, 2025
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