

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.101

CRM-M-2840-2023 (O&M)

Date of decision : 19.01.2023

Mohit Sharma

..... Petitioner

VERSUS

State of Haryana

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Yagsimant Attri, Advocate, for the petitioner.

Mr. Deepak Grewal, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.03 dated 6.1.2022 registered at Police Station, Cyber Crime, Gurugram, District Gurugram, under Sections 420 IPC and 66-D of the Information Technology Act, 2000.

As per the FIR, a complaint was received that a sum of Rs.12.25 lacs had been withdrawn from the accounts of the complainant by unknown persons. Two other accounts were used for payments of somebody's credit card bill.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and that his job profile establishes that he is entitled to pay credit card bills of his clients. Thus, the petitioner has wrongly been made an accused. In this view of the matter, he may be granted anticipatory bail.

The submission cannot be accepted because as on date investigation is in progress. The assertion made on behalf of the petitioner is merely *ipse dixit* and not supported by any evidence. A serious offence of cyber fraud has been committed which needs to be properly investigated for which custodial interrogation of the petitioner is necessary. It may also be

noted that the petitioner was issued a notice under Section 41.1 (A) Cr.P.C. but did not appear before the investigating agency.

In view of the foregoing reasons, the petition has no merits and is dismissed.

(SUDHIR MITTAL)
JUDGE

19.01.2023
Ramandeep Singh

Whether speaking / reasoned	Yes
Whether Reportable	No