

Case RC 221/2019/E/0010 of CBI, EO-III, ND
u/s 419, 420 r/w 511 IPC and 66D of IT Act, 2000
CBI v. Prince Sharma and others

12.09.2020

This is an application received through email on official email ID of the court moved by Insp. Tarun Gaur, CBI/EO-III/EOU-IX seeking three days PC remand of accused Nisha Singh d/o Sh. Dinesh Kumar.

Present : Ld. PP Ms. Preeti Mishra for CBI.

IO Insp. Tarun Gaur, CBI in person.

Accused produced after fresh arrest through video conferencing by the IO.

Ld. Counsel for the accused Sh. Deepak Sharma.

Ld. Counsel for the accused has filed his vakalatnama through email. Same be taken on record.

Due to spreading of Corona Virus (COVID-19), special measures taken by the Government to prevent it by ordering a nationwide lockdown, the hearing of the urgent matter has been conducted through Video Conference using CISCO WEBEX app after taking consent of the parties, in terms of directions issued by the Ld. District and Sessions Judge, Rouse Avenue District Courts.

An application has been moved by the IO seeking PC remand of the accused **Nisha Singh d/o Sh. Dinesh Kumar** for **three** days.

It is submitted by the IO that three days police custody remand of the accused is required to arrest the co accused persons/accomplices involved in the crime along with the accused, to trace out the other victims as well as to ascertain the modus operandi by the accused as there is likelihood of cheating other persons by the accused.

Ld. Counsel for the accused has strongly objected to the application submitting that the accused is a student of BA (Final year) and is innocent having no connection with the allegations made in the FIR, even her name does not appear in the FIR. It is further argued that the mobile numbers shown to have been connected with the fake email ID have also not been charged by her and

whatever material the CBI needed has already been seized from her house. Hence, there is no purpose for keeping the accused in police custody therefore, the application be rejected.

It is submitted by Ld. PP that when the preliminary inquiry was conducted in the present matter it was registered against unknown persons as the identity of the accused persons were to be ascertained after thorough inquiry. It is further submitted that the mobile numbers of the Nisha have been found to be connected with the email IDs and the domain used to cheat the victims. It is further submitted that the accounts maintained by the accused has been ascertained and the amount is found to have been channelized in her account. Thorough investigation is required in respect of other aspects, hence, three days police custody remand of the accused be granted.

In view of the submissions made and record perused, application deserves to be allowed. The investigation is at the nascent stage and the larger conspiracy is expected to be unearthed by further thorough investigation for which custodial investigation is required by the Investigating agency. In such circumstances, IO is granted three days PC remand of the accused.

Ld. Counsel for the accused has moved application seeking bail of the accused.

Considering the nature and gravity of offences bail application moved by the accused cannot be allowed and same stands dismissed at this stage.

IO is directed to get the accused medically examined immediately and also prior to producing her on 15.09.2020 before the concerned court.

Application stands disposed off.

Copy of the order be provided to the IO as prayed for as well as to the Ld. Counsel for the accused through electronic media i.e. through whatsapp and email.

Order may also be uploaded on the website of the court.

[Vishal Pahuja]
Duty Magistrate/RADC/ND/12.09.2020