16.05.2025

Present: Sh. Arjun Anand, Ld. APP for the CBI.

IO/DSP Akhil Pandey, CBI, EO-III, New Delhi in person.

Accused Pawan Kumar, Roshan Kumar Singh and Tarun Kumar in person.

Sh. **Baljinder Singh**, Ld. LAC for accused Pawan Kumar and Ld. counsel for accused Roshan Kumar Singh.

Sh. **Amit Satija (via VC)**, Ld. LAC for accused Tarun Kumar.

1. Arguments on charge have been heard. Ld. APP for the CBI submitted that there is sufficient material on record to frame charge under Section 120B r/w Section 420 IPC and Section 66D of the IT Act against all the accused persons. Ld. defence counsel, on the other hand, submitted that the evidence plot on record by the investigating agency is not sufficient to frame charge against the accused persons and they are entitled to be discharged.

2. Heard. File perused.

3. The present FIR was registered on the complaint of victim Umesh J. Tank who informed about fraudulent transfer of Rs. 18,999/- from his bank account. During investigation, it was found that victim Umesh J. Tank had received a call from mobile no. 9564932571 from a person claiming himself as Mathew, an official of Insurance Cell of PMO Grievance Redressal Portal

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where victim Umesh J. Tank had earlier lodged a complaint. On the pretext of resolving the complaint, the said person Mathew obtained details of the bank account, ATM cards and OTPs of victim Umesh J. Tank, his daughter Yashwi Tank and of a firm owned by his wife. Thereafter, Rs. 18,999/- were transferred from the account of victim Umesh J. Tank. The fraudsters have also defrauded one Manipal and activated his Airtel Payment Bank account which was used for transferring the amount of Rs. 18,999/-. From the Airtel Payment Bank account, the defrauded amount was transferred in the account of Pawan Kumar (A-1) and Tarun Kumar (A-2). The amount were withdrawn the same day. The amount from the account of Tarun Kumar was withdrawn by accused Roshan Kumar Singh @ Setter (A-3).

4. Investigation further revealed that the fraudsters again impersonated themselves as official of Bank of Baroda and on the pretext of reversing wrongful entries from the bank account, they again transferred a sum of Rs. 24,020/- from the bank account of victim Umesh J. Tank. This amount was again transferred to Airtel Payment Bank account of Mahipal and thereafter in the account of accused Tarun Kumar (A-2). The wife and daughter of victim Umesh J. Tank were cheated in a similar manner.

5. Investigation further revealed that as many as five other victims were cheated on the pretext of refund of money paid on Amazon; processing of complaint regarding ration card and blocking of debit card. The defrauded amount in most of the cases was first transferred to Airtel Payment Bank account of Mahipal and thereafter to the bank account of Tarun Kumar (A-2) and Pawan Kumar (A-1). The amount defrauded from victim Samreen

Bano was transferred to the account of accused Tarun Kumar (A-2) which was withdrawn by accused Roshan Kumar Singh @ Setter (A-3). His presence is reflected from the still camera images of the ATM.

6. Accordingly, there is sufficient material on record to frame **charge for commission of offences punishable under Section 120B IPC r/w Section 420 and 120-B r/w 66D of IT Act for which charges are to be framed against all the accused persons**.

7. Charge for the offences as mentioned therein has been framed against all the accused persons, to which they pleaded not guilty and claimed trial.

8. PWs namely **Umesh Chandra Jethalal Tank** and **Mahipal** mentioned at Sr. No. 1 and 2 of the list of witnesses be summoned through HIO and SP concerned for **05.07.2025** and PWs namely **Firoz Ansari @ Sonu Ansari** and **P.K. Issar** mentioned at Sr. No. 3 and 35 of the list of witnesses be summoned through HIO and SP concerned for **19.07.2025**.

9. Put up for PE on **05.07.2025** and **19.07.2025** respectively.

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ACJM-2-cum-ACJ
RADC/New Delhi/16.05.2025