

**IN THE COURT OF SH. ARUL VARMA, LD. CHIEF METROPOLITAIN
MAGISTRATE, CENTRAL DISTRICT, TIS HAZARI COURTS, DELHI.**

FIR No. 263/2019

PS: Crime Branch (Central District)

State Vs. Vipin Sharma

Misc. Application

06.07.2020

Present: Sh. Rajeev Kamboj, Ld. APP for the State has been joined via Video Conferencing through Cisco Webex.
Ld. Counsel for the applicant/accused has been joined via Video Conferencing through Cisco Webex.
IO/SI Santosh Kumar has also been joined via Video Conferencing through Cisco Webex.

This is an application received through E-mail as moved on behalf of applicant/accused Vipin Sharma for seeking directions to release the following bank accounts:-

- 1. IDFC Bank Daryaganj, A/c. No. 10046954619 by the name of PVPARIVARTAN PRIVATE LIMITED.**
- 2. SBI Bank Daryaganj, A/c. No. 67207037553 by the name of Vipin Sharma.**
- 3. ICICI Bank Daryaganj, A/c. No. 000701270225 by the name of Vipin Sharma.**

Reply of the IO has also been received via E-mail.

Ld. Counsel for the applicant/accused Vipin Sharma has contended the above-mentioned bank accounts do not relate to the case in hand and that there is no single transaction qua cheated money in these bank accounts. He has further contended that applicant/accused is in urgent need of money as his father is a neuro patient and has been operated three times and is taking treatment from Sir Ganga Ram Hospital, Delhi. Ld. Counsel for the applicant/accused has invited the Court's attention towards the medical papers of the father of the applicant/accused. He has contended that applicant/accused has no source of income and hence, the above-mentioned bank accounts may kindly be ordered to be de-freezed.

Ld. APP for the State and the IO have vehemently opposed the application. Ld. APP for the State has submitted that applicant/accused has not explained the source of his income. Ld. APP has further submitted that the matter is not of urgent nature, as a perusal of medical documents would reveal that the father of the applicant/accused was not required for immediate hospitalization or surgery. Lastly, Ld. APP has submitted that the bank accounts that were freezed in the present case pertain to the amounts cheated by the accused persons, and it should only be released to the rightful claimant and it could be ascertained after the trial is over.

Submissions heard. Reply of IO as well as contents of application perused.

A perusal of reply of IO would reveal that on various dates, money were transferred to the account i.e. account no. 000701270225 and 67207037553. According to IO, in account no. 10046954619, the payment was made via cheque by the accused. Prima facie, it seems that the money was transferred to the account of accused. Further, the IO, during the course of arguments submitted that Bijay Chopra and Vipin Sharma are the same person, and that the money was transferred to Bijay Chopra also, and that at the behest of Bijay Chopra @ Vipin Sharma, money was transferred to other accused persons also.

Therefore, this Court is inclined to concur with the submissions of Ld. APP for the State. Hence, the application for defreezing the above mentioned accounts stands dismissed.

Copy of this order be uploaded on the District Courts website forthwith.

(Arul Varma)
CMM (Central), Delhi
06.07.2020