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

+ W.P.(CRL) 3458/2019

SONYA KAPUR

..... Petitioner

Through: Mr Rakesh Kumar and Mr Satroop
Das, Advocates.

versus

STATE & ORS.

..... Respondents

Through: Mr R. S. Kundu, ASC for State with
Mr Hitesh Vali, Advocate for State
with SI Gaurav, PS EOW.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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12.03.2020

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

- i. Issue writ in nature of Mandamus passing appropriate order/direction so the offence of pertaining banking fraud having victim from all segments of the society are properly investigated and crucial time at the initial stage of investigation is not lost and the culprits are arrested and change of hands of proceeds of crime is prevented; and/or.
- ii. Issue writ of mandamus directing the respondents to appoint special team for investigation of crime bearing FIR bearing No.0146 dated 06.08.2019, PS EOW u/s 406/420/468/471/120B IPC, Delhi and to bring all members of the crime syndicate under process of justice.”

2. The petitioner has filed FIR No. 0146/2019, under Sections 406/420/468/471/120B of the IPC, registered with Economic Offences Wing. She alleges that her father (who is 86 years of age) had been cheated of approximately ₹6 crores by a syndicate of criminals consisting of certain employees of HDFC Bank, insurance companies and their agents. The petitioner states that two of her siblings are citizens of the United States of America and she was also residing overseas at the material time.

3. A status report had been filed, which indicates that the bank accounts maintained by the petitioner's father were examined. It has been verified that large amounts of money were removed from the said bank accounts, including for purchasing certain insurance policies. The status report indicates that about ₹5.16 crores had been transferred to about eighty different bank accounts. Out of the same, details of forty-four bank accounts have already been obtained and the same have been frozen. Eight persons were arrested and four of them are still in custody.

4. It is stated that an SIT, comprising of ACP Amar Deep Sehgal, Inspector Sanjeev Dhodi, SI Sanjeev, SI Gaurav, ASI Jaipal and Ct. Vipin, has been constituted and the matter is being investigated.

5. In the aforesaid circumstances, the petitioner's prayer that a special team for investigation be constituted, stands addressed. However, the petitioner continues to have certain grievances regarding the pace and the manner in which the investigation is being conducted.

6. The learned counsel appearing for the petitioner submits that the offence would have a clear paper trail and investigations are required to be done to obtain KYCs of persons, who had opened the accounts in which her

father's funds were transferred but the same had not been done as yet.

7. The aforesaid contention is merited. Considering the same, this Court directs the SIT constituted to complete the investigation as expeditiously as possible and, in any event, within a period of six months from today. The SIT shall obtain details of the KYC documents regarding the bank accounts, available with the concerned banks and ascertain the details of the recipients of the money transferred from the accounts of the petitioner's father.

8. A final report shall be filed on or before the expiry of the said period of six months.

9. The petition is disposed of with the aforesaid directions.



VIBHU BAKHRU, J

MARCH 12, 2020
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