

IN THE CITY SESSIONS COURT AT AHMEDABAD
CRIMINAL MISC. APPLICATION NO. 2774 OF 2025

Applicant : Wang Chun Wei @ Sumukha.

Versus

Opponent : The State of Gujarat.

Appearance :

Mr. Ronith Joy, learned Advocate for the Applicant.

Mr. S.B.Brahmbhatt, learned Public Prosecutor for the Opponent/State.

ORDER BELOW EXHIBIT-1.

1. The applicant has preferred the present application under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 seeking regular bail in connection with FIR bearing No.11191067240113/2024 registered with Cyber Crime Police Station under Section 61, 204, 316(2), 318(2) of the Bharatiya Nayay Sanhita, 2023 as well as Section 66(c), 66(d) of the Information Technology Act.
2. Learned Advocate for the applicant submitted that the applicant has been wrongly implicated in the offence. It is further submitted that investigation in the instant case has been concluded and Investigating Officer has filed charge-sheet before the trial Court, which has culminated into a Criminal Case. It is further stated that upon close scrutiny of charge-sheet papers, it culls out that there is no direct or indirect role of the present applicant whatsoever with the complainant in the present offence. It is further stated that there is no established money trail leading to the fact that the applicant had been the beneficiary of the funds which were allegedly swindled from the bank account of the complainant. Learned Advocate further submitted that similarly situated co-accused namely Shen Wei Hao alias Chris has been enlarged on bail by

this Court vide order dated 01.04.2025 in Criminal Misc. Application No.2338 of 2025. Hence, it is submitted that on the ground of parity, the present applicant be also enlarged on regular bail.

3. Learned Public Prosecutor for the State strenuously opposed the present bail application and submitted that the accused participated into criminal conspiracy hatched by international syndicate. He further submitted that if the applicant is released on bail he may abscond as he is a foreign citizen and not face the trial. Hence, it is prayed that the instant bail application be rejected.
4. Heard learned Advocate for the applicant as well as learned PP for the State and gone through the case file. It is apparent from the record that investigation in the instant case has been concluded and I.O. has filed charge-sheet before the trial Court which has culminated into Criminal Case against the applicant. The applicant is in judicial custody since 13.10.2024. The maximum punishment prescribed for the alleged offence is up to five years. The offence is triable by the Court of Ld. Magistrate. Further, trial is likely to consume time and the applicant is likely to suffer pre-trial conviction. Moreover, similarly situated co-accused namely Shen Wei Hao alias Chris has been enlarged on regular bail by this Court vide order dated 01.04.2025 passed in Criminal Misc. Application No.2338 of 2025. Further, other co-accused namely Yash S/o. Vishwas Sudhakar More and Sarvesh S/o. Santosh Sahadev Pavar have been enlarged on regular bail by Honorable Gujarat High Court vide order dated 08.04.2025 passed in Criminal Misc.

Application Nos.25669 of 2024 and 51 of 2025 respectively. Hence, on the ground of parity, the present applicant also deserves to be enlarged on regular bail. Hence, considering the overall facts and circumstances of the case as well as in view of the law laid down by Hon'ble Apex Court in the case of **Sanjay Chanda vs CBI**, this Court is inclined to exercise its discretion in favor of the present applicant. Hence, I pass the following order;

ORDER

The application filed by the applicant under Section 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023, is hereby allowed.

The applicant **Wang Chun Wei @ Sumukha**, who is accused in connection with offence registered vide FIR No.11191067240113/2024 registered with Cyber Crime Police Station under Section 61, 204, 316(2), 318(2) of the Bharatiya Nayay Sanhita, 2023 as well as Section 66(c), 66(d) of the Information Technology Act, is ordered to be released on bail on furnishing personal bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety of the like amount. The applicant shall follow conditions mentioned below:

- i. The applicant shall not give any promise, threat or inducement to any person acquainted with facts of the case.
- ii. The applicant shall not indulge in any activity relating to cyber crime.
- iii. The applicant shall remain present before the I.O. for interrogation as and when called for.

- iv. The applicant shall not leave the territory of India without prior permission of the Court.
- v. The applicant shall surrender his passport with the concerned Investigating Officer within three (3) days from released on bail and if not possesses, shall file an affidavit to that effect.
- vi. The applicant shall furnish his precise and correct residential address to the I.O. and Trial Court before being actually bailed out. He shall also furnish new residential address, in the event of change in the address.
- vii. The applicant shall not misuse his liberty in any manner.
- viii. The applicant shall regularly remain present in the Trial Court.
- ix. Bail shall be furnished according to the satisfaction of the Trial Court.

Yadi be issued accordingly.

Pronounced in the open Court on **16th April, 2025.**

Date : 16/04/2025
Place : Ahmedabad.

(Hemangkumar Girishkumar Pandya)
Additional Sessions Judge,
City Sessions Court No.15,
Ahmedabad
Unique ID Code No.GJ00705

FARHAN