

**ECONOMIC OFFENCES WING, CHANDIGARH POLICE**

1 **OBJECT**

The purpose of the Economic Offences Wing (EOW) is to prevent, detect and investigate cases of economic, cyber and Intellectual Property related crimes to ensure prompt justice and desired relief to the victims and to become the benchmark for other units in Chandigarh Police in investigation of such cases. The Economic offences wing will deal with important cases concerning multi-level-marketing frauds, share market frauds, multi-victim frauds, foreign trade related frauds, land and building rackets, offences of forgery, cheating by individuals and Non-Banking Financial Companies, cyber crimes, offences related to Intellectual Property Rights and such like cases.

2. Section 415 of the Indian Penal Code deals with **cheating**. To hold a person guilty of **cheating** as **defined** under Section 415 of the Indian Penal Code, it is necessary to show that he has fraudulent or dishonest intention at the time of making the promise with an intention to retain the property. In other words, Section 415 of the Indian Penal Code which **defines cheating**, requires deception of any person (a) inducing that person to : (i) to deliver any property to any person, or (ii) to consent that any person shall retain any property OR (b) intentionally inducing that person to do or omit to do anything which he would not do or omit if he were not so deceived and which act or omission causes or is likely to cause damage or harm to that person in body' mind, reputation or property.

3. There is a very fine difference between a matter of civil nature and cases falling under criminal breach of trust, misappropriation and cheating. There is thus a need for exercising greater caution and care before initiating action under the criminal law by way of registration of a criminal case. It is not uncommon for individuals to make efforts to get matters of civil nature registered as criminal offences by twisting and tweaking the facts or even by misrepresentation which could lead to considerable anguish and trouble for the accused party. We must be careful while enquiring into such matters. Both parties must be carefully examined and the facts and circumstances brought on record so that a clear picture emerges. However, there would be some instances where there would be no doubt in cheating have taken place and in such cases it may be essential that the police need to act with alacrity and haste so that the accused party does not flee/ go underground or dispose off the ill-acquired wealth.

4. Since the EOW has very limited staff and resources, such cases shall normally be investigated by the local Police Station. However, any complaint involving cheating, embezzlement, misappropriation, forgery of Rs. 25 Lacs or more or gang cases having interstate ramification cases can be investigated at EOW. All such complaints shall be enquired into or investigated by EOW only when the orders have been obtained from the concerned SSP/DIGP, Chandigarh and with due approval of IGP/Chandigarh. In case a complaint has to be sent to EOW by the Police Station, it will be routed through concerned SSP/Chandigarh. In certain cases, where the complainants express their dissatisfaction with the investigation conducted by the local police, SSP/ Chandigarh could transfer such cases to crime branch after the approval of IGP/Chandigarh rather than rush to transfer the cases to EOW. Cases should be transferred to EOW sparingly and not in a routine manner. Besides this, Inspector General of Police can entrust any complaint/ case to EOW or any other Police Station/ investigation agency.

5 **INVESTIGATION**

1) The EOW shall enquire into and investigate the Economic Offences mentioned above. Any complaint received by the wing directly or through senior officers shall be inquired into if prima-facie a cognizable offence is not made out and if, after enquiry, the cognizable offence is found to have been made out, formal orders of the SSP shall be obtained for registration of case under respective Police Station and the investigation shall be carried out by