

***IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH***

**Criminal Misc. No. M-23385 of 2017
Date of Decision:-11.07.2017**

Anil

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Rakesh Kumar Sharma, Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.413 dated 12.6.2015, under Sections 419, 420, 467, 471 and 120-B IPC, registered at Police Station City Ballabgarh, Faridabad.

The aforesaid FIR was registered at the behest of one Raju that he has purchased one mobile sim bearing Mobile No.9873420850 from the petitioner of Harsh Communication after giving his identification and copy of the ration card. Though said Raju is using the sim in his daily routine, however, after registration of FIR, it has been found that the aforesaid ID and copy of ration card was used for activating another sim card bearing No.9899855143 and the said number has been used in the crime by Ravi, who is already in judicial custody in another case.

Learned counsel for the petitioner has argued that the petitioner is a petty shopkeeper and is in custody for the last about one month. His father, who is aged about 48 years, is a patient of cancer and petitioner is the only source of livelihood in the family. The trial in the case will take long time.

On the other hand, learned State counsel on instructions from SI Jasbir Singh states that the petitioner has issued sim card at another occasion as well without adhering to the norms prescribed by the Vodafone mobile company.

I have heard learned counsel for the parties.

There is no dispute that the petitioner is in custody for the last about one month. The trial in the case will take sufficient long time as the matter is still under investigation. Therefore, considering the facts mentioned above, the petition is **accepted**. The petitioner is admitted on regular bail on furnishing of his bail bonds and surety bonds subject to satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Faridabad.

It is made clear that in case the petitioner is found indulged in such like activities and selling the sim cards contrary to the norms of the mobile companies, the prosecution shall be at liberty to seek cancellation of his bail.

July 11, 2017
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No