

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

CRM-M-22368-2018
Date of decision:10.07.2018

Ankit

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR.JUSTICE P.B. BAJANTHRI

Present: Mr. Shamsheer Singh Patter, Advocate
for the petitioner.

Mr. R.K. Doon, AAG, Haryana
for the respondent.

P.B. BAJANTHRI, J. (ORAL)

In the instant petition, petitioner has sought for regular bail under the provision of Section 439 of the Criminal Procedure Code ('Cr.P.C.' - for short) in FIR No.39 dated 23.02.2018 under Section 419, 420, 467, 468, 471, 120-B of the Indian Penal Code ('IPC' - for short) and Section 36 of AADHAAR (Targeted Delivery of Financial & Other Subsidies, Benefits & Services) Act, 2016 and Section 65, 66, 66(C), 66 (D) of the Information Technology Act ('I.T. Act' - for short).

2. Learned counsel for the petitioner has submitted that the

allegations against the petitioner are that he had carried out enrollments in the Tehsil Office using Rubber Finger Prints in the absence of he being certified operator. Thus he had committed offence under Section 36 of AADHAAR (Targeted Delivery of Financial & Other Subsidies, Benefits & Services) Act, 2016 read with Section 65, 66, 66-C and 66-D of the I.T. 2000 read with Sections 419, 420, 467, 468, 471 read with Section 120-B of the IPC. Petitioner is in custody since March 2018. Trial of the case will take long time and no useful purpose would be served by detaining him in custody. Therefore, the petitioner is entitled for regular bail.

3. Per-contra, learned counsel for the respondent-State resisted the petitioner's contention and submitted that there are clear allegations stated against the petitioner in the FIR relating to unauthorizedly carrying enrollment in the Tehsil Office using Rubber Finger Prints, since the petitioner is not authorized AADHAR Certified Operator.

4. Heard learned counsel for the parties.

5. Having regard to the fact that the petitioner is in custody since March, 2018 and that the trial of the case takes its own time. No useful purpose would be served by detaining the accused in custody. Consequently, petitioner-Ankit is ordered to be released on bail to the satisfaction of concerned Chief Judicial Magistrate / Duty Magistrate.

6. However, petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial.

7. The petitioner shall also appear before the Station House Officer concerned on the last Saturday of every month at about 10:00 a.m.

8. Petition is allowed accordingly.

10.07.2018
Gaurav Sorot

(P.B. BAJANTHRI)
JUDGE

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| 1. | Whether reportable? | No |
| 2. | Whether reasoned / speaking? | Yes |