

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

CRM-M-48581-2018 (O&M)

Date of decision: November 13, 2018

Pawan Kumar @ Monii @ Ballu

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Amit Kumar Goyal, Advocate
for the petitioner.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(ORAL)

CRM-38969-2018

Application is allowed as prayed for.

CRM-M-48581-2018

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.31 dated 17.07.2018 registered for the offences punishable under Sections 420, 467, 468, 120-B, 201 of Indian Penal Code, 1860 (for short, "IPC") and Section 66-D of Information Technology Act, 2000 at Police Station Cyber Police Station, Gurugram.

Heard.

It is alleged that petitioner telephonically informed the victims that he can provide him loan and also told to deposit money in the account No.01051000094790 and consequently, money was deposited and in this way he has misappropriated an amount of Rs.68,994/-.

Petitioner has already been arrested on 19.07.2018 and amount of Rs.9,000/- and fake aadhar cards have been recovered.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, no useful purpose would be served by detaining the petitioner behind the bars. Therefore, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial court / Chief Judicial Magistrate / Duty Magistrate subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the court.

(RAJ SHEKHAR ATTRI)
JUDGE

November 13, 2018
m. sharma

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No