

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

201

CRM-M-773-2020

Decided on : 18.05.2020

Deepak Kumar and another

... Petitioners

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. S.K. Verma, Advocate
for the petitioners.

Mr. Pardeep Chahar, DAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The matter has been taken up by way of Video Conferencing through Cisco Webex Application in view of COVID-19 situation, as per instructions issued.

In the present petition filed under Section 439 Cr.P.C, the petitioner seeks grant of regular bail in case FIR No.2 dated 01.01.2019 under Sections 379, 420, 468, 471, 474 of IPC and Section 66 (C) of IT Act, registered at Police Station, City Jind, District Jind.

The application for interim bail has not been listed, as the office has given a report that no such application has been registered or filed. Counsel for the State however submits that he has advance copy of the said application.

He is directed to send a scanned copy of the said application by way of email to the Registry of this Court, for the purpose of record.

Keeping in view the submissions made by counsel for the petitioners, the hearing of the case is postponed from 01.07.2020 to today.

Counsel for the petitioner has submitted that the FIR was lodged on 01.01.2019 regarding the incident of 30.12.2018 wherein the complainant Kailashwati had submitted that a sum of ₹20,000/- had been withdrawn from her ATM, as she has sought the help of two boys when she was trying to change the Pin Code.

It has been brought to the notice of this Court that the petitioners were arrested on 02.08.2019 after 8 months of lodging the FIR. The complainant who was examined as eye witness also did not support the case of the prosecution, as she did not identify the present petitioners and has turned hostile. On account of recovery of clone machines and the fact that the bail application earlier has been dismissed, the bail application has been dismissed by the Additional Sessions Judge, Jind.

As noticed the trial is already proceeding and the main witness has already been examined and considerable time would be consumed before the case is finalized. Keeping in view the period of detention as such, this Court is of the opinion that the petitioners are entitled for regular bail on furnishing of adequate security to the satisfaction of Illaqa Magistrate/Duty Magistrate, Jind.

Disposed off.

MAY 18, 2020
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No