

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

CRM-M-9595 of 2020 (O&M)

Date of Decision: 19.05.2020

Sagar

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sandeep Kotla, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via WhatsApp facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner pending trial in FIR No.352 dated 05.08.2019 under Sections 379, 420, 201, 467, 468, 471 and 34 IPC registered at Police Station Safidon, District Jind.

An advance copy of the petition also stood served upon the State of Haryana. Mr. Saurabh Mohunta, learned DAG, Haryana, has joined the proceedings.

With the consent of the counsel for the parties, petition has been taken up for disposal today itself.

FIR came to be registered on the complaint of Om Parkash. Allegations are against unknown persons as regards the ATM Card of the complainant having been cloned and a sum of Rs.4,40,000/- having been siphoned off. During the course of investigation and on the basis of CC

TV Footage obtained from the ATM site the present petitioner as also co-accused Sandeep have been implicated.

Petitioner was arrested on 02.12.2019.

It has gone uncontroverted that a motor-cycle used in the commission of the alleged offence, a mobile set as also an ATM Card Swipe Machine alongwith Rs.1,05,000/- stand recovered from co-accused Sandeep. Insofar as present petitioner is concerned a sum of Rs.60,000/- is stated to have been recovered from his house.

Petitioner has suffered incarceration of a period in excess of 6 months. Investigation in the case is complete and the challan already stands presented.

The petitioner is not stated to be involved in any other FIR involving similar allegations.

It is also not the case made out on behalf of the State that the petitioner, if granted, the benefit of bail would be in a position to influence the course of a free and fair trial.

Without making any observations on the merits of the case, petitioner is held entitled to the benefit of bail.

Petitioner namely Sagar be released on bail subject to his furnishing bail/surety bonds to the satisfaction of Trial Court/Duty Magistrate, Jind.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

May 19, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No