

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

**CRM-M-14857-2020 (O&M)
Date of Decision: 26.06.2020**

Ganesh Yadav

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Harkesh Manuja, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

Petitioner seeks regular bail pending trial in FIR No.176 dated 15.11.2019 under Sections 406, 420, 467, 468, 471 IPC and 66 (C) of IT Act, registered at police station Sector 29, Panipat.

Counsel for the parties have been heard.

The process of law was set into motion on the statement of complainant Sarla.

As per allegations complainant had received a telephonic call on her mobile number from two different mobile numbers i.e. 8878405669 and 9720227816. Complainant alleged that the caller asked her to get her health insurance cancelled and stated that an offer of Rs.8000/- was available on her super card and she could avail of such offer by making certain online shopping. Under the garb of such offer the caller elicited her credit card number, debit card number, super card number and OTP. Ultimately the complainant was duped of different sums of money under five transactions to the tune of Rs.31,300/-, Rs.18,000, Rs. 31,000/-,

Rs.10,400/- and Rs.32,000/- from her HDFC Bank account.

It is the categoric assertion made by counsel for the petitioner the two mobile numbers aforementioned as also the other mobile numbers from where text messages or money had been transferred are in no way connected with the present petitioner.

The present petitioner is sought to be implicated on the basis that a number of copies of Aadhar Cards and other Identity Cards were found in his mobile phone. The justification being offered by counsel is that the petitioner was an agent of Idea Cellular Service and on account of which such data was found in the mobile.

Be that as it may investigation in the present case is complete and the challan has already been presented on 20.05.2020.

Petitioner has faced incarceration since 27.02.2020. The investigation agency has already collected all the material/evidence.

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

It may also be taken note of even though the challan has been presented on 20.05.2020, on account of the current Covid-19 situation, the charges may not be framed in the near future. Trial as such is going to be a prolonged affair.

In the totality of circumstances the petitioner is found entitled to the benefit prayed for.

Petition allowed.

Petitioner be enlarged on bail subject to his furnishing bail

bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate,
Panipat.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

June 26, 2020
shweta

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No