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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.37612 of 2020
Date of Decision: 19.11.2020

SANDEEP

.....Petitioner

Vs
STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Arvind Bansal, Advocate
for the petitioner.

Mr. Rajat Gautam, D.A.G., Haryana.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.175 dated 19.05.2020, registered under Sections 379, 411, 420, 465, 468, 471, 474, 120-B, 201 IPC at Police Station Pundri, District Kaithal.

As per prosecution story the complainant was having an account in State Bank of India in which an amount of Rs.26,595/- was left. An amount of Rs.26,500/- was withdrawn from his account on 26.12.2019 by someone. The petitioner along with co-accused was implicated on the basis of CCTV

footage stored in a compact disk in which the complainant was found standing in the ATM booth and was using his ATM card for the withdrawal of amount. Two other persons were offering assistance to him and those were found to be Satyawan @ Munna and the present petitioner. In the CCTV footage, accused were seen stealing data of ATM with the help of skimming devices.

It has been alleged that *modus operandi* of the accused was to visit the ATM booth and they used to note the PIN of the ATM card secretly. They used to scan the data of ATM card on the pretext of rectifying the issues faced by the card holders.

Co-accused Satyawan @ Munna has already been granted regular bail by this Court vide order dated 09.10.2020 passed in CRM-M No.17583 of 2020.

Learned counsel for the petitioner submitted that the case of the petitioner is at par with co-accused Satyawan @ Munna.

The factual position of the case could not disputed by learned State counsel on instructions from ASI Rohtash.

It is not in dispute that the petitioner is in custody since 07.09.2020. The offence is triable by the Magistrate. Challan has already been presented, but charges have been been

framed so far.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

November 19, 2020	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No