

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(Through Video Conferencing)

CRM-M-11904-2021

Date of Decision: 01.04.2021

SAMRAT CHAUDHARY @ ANKIT CHAUDHARYPetitioner

V/s.

STATE OF HARYANARespondent

CORAM: **HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.**

Present: Mr. Rajesh Garg, Senior Advocate with
Mr. Arun Sharma, Advocate,
for the petitioner.

Mr. Rajiv Goel, Deputy Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.13/2021 dated 11.02.2021 registered under Sections 419, 420, 120-B of the Indian Penal Code, 1860 and under Section 66-D and 77 of the Information Technology Act, 2000 at Police Station Cyber Crime, Gurugram (Haryana).

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the FIR in question. He has further submitted that the challan has since been presented before the trial Court and the offence under Section 419 of the IPC, 1860 stands deleted *qua* the petitioner. Thus, a prayer has been made to extend the concession of bail to the petitioner.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from

Inspector Jasbir Singh, has apprised this Court that the main accused Chandni and Sumit have still not been arrested hence, the petitioner may not be extended the concession of regular bail.

Heard.

Admittedly, this case rests on the documentary evidence. Learned State counsel has conceded that the documentary evidence on the basis of which the petitioner is being proceeded against and would be facing trial is already in the custody of the investigating agency. In view of the submissions made by learned counsel for the parties and the fact that petitioner has been in custody since 11.02.2021, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

April 1, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>