

201 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20737-2021
Date of Decision: 06.08.2021

SANDEEP KUMAR AND ANR

...Petitioners.

V/S

STATE OF HARYANA

...Respondent.

CORAM: HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Rapton Bedi, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

B.S. WALIA. J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.118 dated 20.04.2021, registered under Sections 420, 34 IPC and 66C of I.T.Act, 2008 at Police Station Sector-17, HUDA, Jagadhari, District YamunaNagar.

3. On 25.05.2021, the following order was passed:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic. Prayer in the petition under Section 438 of Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.118 dated 20.04.2021, registered under Sections 420, 34, IPC and 66-C, Information Technology Act, 2008, at Police Station Sector-17, HUDA, Jagadhri, Yamunanagar.

Learned counsel contends that the allegations in the FIR are of data of the customers of the bank having been illegally accessed and of the same having been supplied by the petitioners to a third

party but the said allegations are absolutely false as data was downloaded on the laptop and mobile supplied by the bank for the efficient discharge of bank duties, besides, the mobile phone and laptop used, already stand surrendered to the bank. Learned counsel further contends that no loss whatsoever was caused to the complainant-bank, the petitioners do not have any other criminal case against them, besides are ready and willing to join investigation and fully cooperate in the same.

Notice of motion.

Mr. Pawan Longia, DAG, Haryana, accepts notice on behalf of the respondent and requests for an adjournment to file reply.

Adjourned to 22.07.2021.

In the meantime, arrest of the petitioners is stayed, till the next date.”

4. Today, learned counsel for the petitioners contends while learned State counsel, on instructions from ASI Ram Kumar, confirms that pursuant to the order of this Court dated 25.05.2021, the petitioners joined investigation, cooperated in the same, were released on ad-interim pre-arrest bail and their custodial interrogation is not required.

5. In view of the statement of the learned State Counsel, order dated 25.05.2021, passed by this Court, is made absolute. The petitioners shall continue to abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be deemed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

06.08.2021

'rajesh-renu'

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