

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25135-2021 (O&M)

Date of Decision:-8.7.2021

Nanak Dev

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bikramjeet Singh Jatana, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Sohan Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.135 dated 29.6.2020 at Police Station Nangal, District Rupnagar under Section 420 of Indian Penal Code, wherein offences under Sections 66-B and 66-D of Information Technology Act, 2000 were added later on.
2. As per the case of prosecution, the petitioner had hacked the software of District Treasury at Rupnagar, while being posted in the office of Deputy Economic & Statistic Advisor Office, Mansa and by hacking the same had transferred an amount of ₹26,290/- in his own account.

3. Learned counsel for the petitioner has submitted that the petitioner is posted as Sewadar and his educational qualification is 10+2 and does not have any technical expertise to hack a computer software. It has further been submitted that, in any case, the amount allegedly transferred is a meager amount and since the petitioner has already been behind bars for a substantial period of more than 5 months and challan stands presented, his detention will not serve any useful purpose.
4. Opposing the petition, learned State counsel has submitted that since the petitioner stands involved in one other identical case, no case for grant of bail is made out.
5. I have considered rival submission addressed before this Court.
6. Having regard to the nature of offence and the amount allegedly transferred by way of hacking which is stated to be ₹26,290/- and while noticing that the petitioner has already been behind bars for a substantial period of 5 months and challan stands presented, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8.7.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No