

CRM-M-36043-2021 (O&M)

Through video conference

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

**CRM-M-36043-2021 (O&M).
Decided on: October 28, 2021.**

Aawez

.. Petitioner

VERSUS

State of Haryana

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Karan Singh, Advocate,
for the petitioner.**

Mr.Ranvir Singh Arya, Addl. A.G. Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

The present second petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.233 dated 7.5.2021, under Sections 420,467, 468, 471 and 120-B IPC, and Sections 66 and 66-D of the Information and Technology Act, 2008 registered at Police Station Kaithal City, District Kaithal.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 23.6.2021 and investigation of the case is already complete and challan has already been presented. He has further submitted that the entire case is based upon documentary evidence and no useful purpose will be served in case the petitioner is further incarcerated as conclusion of the trial is likely to take long time. He has further submitted

that the petitioner has been falsely implicated in the present case as he was neither manager nor secretary or receptionist of the company and no role with regard to any transaction has been attributable to him.

On the other hand, learned State counsel has submitted that it is a case of cheating and there was a CCTV camera footage with regard to withdrawing of money from the ATM by the petitioner.

I have heard the learned counsel for the parties.

Custody period of the petitioner since 23.6.2021 is not disputed. It is also not disputed that the investigation of the case is already complete and challan stands presented. The present case is triable by a Magistrate and the conclusion of the trial is likely to take a long time. Furthermore, it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or tamper with evidence or may flee from justice.

Therefore, keeping in view the totality of circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner. Accordingly, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

October 28, 2021.
raj arora

(JASGURPREET SIN6GH PURI)
JUDGE

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