

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(I) CRM-M-31186-2020 (O&M)**

Parveen @ Kuli ...Petitioner

Versus

State of Haryana ...Respondent

(II) CRM-M-22979-2020 (O&M)

Naveen ...Petitioner

Versus

State of Haryana ...Respondent

Date of Decision: 12.01.2021**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Arjun Sheoran, Advocate, for the petitioner
in CRM-M-31186-2020.Mr. Sandeep Kotla, Advocate, for the petitioner
in CRM-M-22979-2020.Ms. Sheenu Sura, DAG, Haryana,
assisted by HC Kuldeep.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose off the aforesaid two petitions filed on behalf of Parveen @ Kuli and Naveen seeking grant of regular bail in respect of a case registered vide FIR No.431 dated 01.07.2020 at Police Station City Hisar, District Hisar, under Sections 420, 379 IPC.

2. The FIR in question was lodged at the instance of Pardeep. The translated gist of the FIR reads as follows:

“To the Chowki Incharge, Anaj Mandi, Hisar, Sir it is submitted that I, Pardeep Kumar son of Ran Singh resident of Moth Karnail now residing at H.No.2498-A, Sector 9-11, Hisar and I am having account at Canara Bank, Sector-14 Branch vide account No.55251010038912. I was in my house and in the morning at about 8.36, 37, 38, 39, I have received messages on my mobile No.9493050000 that in all the four messages Rs.10,000/- each were deducted total Rs.40,000/- were withdrawn from ATM whereas the ATM card was with me as some unknown person have withdrawn an amount of Rs.40,000/- from my account through ATM after doing forgery. So, kindly find out the name and addresses of the unknown person and take strict legal action and my money may kindly be recovered.”

3. Learned counsel for the petitioners have submitted that they are nowhere named in the FIR and have been nominated as accused on the basis of some evidence alleged to have been collected during investigation. It has further been submitted that the challan in any case stands presented and, as such, the petitioners deserve the concession of bail.
4. Opposing the petition, learned State counsel has submitted that since definite evidence has been collected during the course of investigation against the accused, no case for grant of bail is made out. Learned State counsel has, however, informed that the petitioners as on date have been behind bars since the last about 6 months and that while the petitioner Naveen is not involved in any case, the petitioner Parveen is involved in three other cases of identical nature.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of the allegations which pertain to withdrawal of an amount of Rs.40,000/- from the Bank account of the complainant fraudulently and the fact that the petitioners have been behind bars since the last about 6 months, further detention of the petitioners will not serve any useful purpose as the conclusion of trial will take some time. Both the petitions, as such, are accepted and the petitioners are ordered to be released on regular bail on their furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

12.01.2021
Vimal

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