

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

227/2

CRM-M-42067-2021

DATE OF DECISION: 10.12.2021

RAJAT KUMAR

... Petitioner(s)

Versus

STATE OF HARYANA

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.P.S. Ahluwalia, Advocate for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

ANUPINDER SINGH GREWAL, J. (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.297 dated 25.06.2021, under Sections 419, 420, 467, 468, 471 & 120-B IPC, (Section 413 IPC deleted during investigation) and Sections 66-B and 66-D of the Information Technology (Amendment) Act, 2008, registered at Police Station Civil Line, District Kaithal.

Learned counsel for the petitioner contends that it is alleged in the FIR, which is based on a secret information, that the petitioner and co-accused were unauthorizedly selling mobile phones after having purchased them at cheaper rates from online portals. He, however, contends that it is alleged that the petitioner and co-accused had cloned Apps to order online bulk purchases to bypass limited purchases which are allowed from one App. The petitioner was alleged to have been making small profits on the sale of the mobiles. There is no allegation that petitioner and co-accused have defrauded the government exchequer by claiming input tax credit. The petitioner is in custody for about 5 ½ months. He is about 25 years of age and does not have criminal antecedents.

Learned State counsel contends that 872 mobiles and cash amounting to Rs.15,15,000/- was allegedly recovered from the petitioner. He also contends that the petitioner had obtained GST numbers from a government site belonging to others and had used them for making purchases. She also contends that challan has been filed but charges are yet to be framed.

Heard.

In view of the above, especially when the petitioner is 25 years of age, he does not have criminal antecedents, he is in custody for over 5 ½ months, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

10.12.2021

SwarnjitS

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