

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M No.693 of 2022 (O&M)
Date of Decision.14.01.2022
(Heard through VC)**

Khursid Ahamed @ Khursid Ahmed

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amandeep Saini, Advocate
for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.19 dated 31.03.2021 under Sections 66-C, 66-D of the Information Technology Act, 2000 and Sections 420 and 120-B IPC registered at Police Station Punjab State Cyber Crime, SAS Nagar, Mohali.

Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in the said FIR as he has no contact or concern with the complainant, who has been supposedly duped of an amount of ₹45,53,000/-. It is submitted that there is no allegation that any amount has been received by him directly from the complainant. He was arrested only on account of the fact that an amount of ₹5,67,000/- has been transferred into his account from the account of main accused. It is also submitted that when the matter was argued for grant of regular bail to the petitioner, the same was dismissed by the Additional Sessions Judge, SAS Nagar only on account of the fact that the investigation was incomplete and

challan had not been presented. It is submitted that as on 01.10.2021, challan qua petitioner stands presented and therefore, there is little likelihood of the petitioner herein influencing the investigation, reliance would be only on documentary evidence.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner by contending that huge cyber fraud had been committed upon the complainant and therefore, the petitioner herein who is a beneficiary of ₹5,67,000/- out of the said amount defrauded from the complainant would not be entitled for regular bail.

I have heard learned counsel for the parties. Keeping in view the fact that the investigation has been completed and challan stands presented and the fact that trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on her execution of adequate personal/surety bonds to the satisfaction of concerned trial court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

(JAISHREE THAKUR)
JUDGE

January 14, 2022
Pankaj*

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