

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

CRM-M-825 of 2022 (O&M)

DECIDED ON: 5th July, 2022

Sachin Gupta

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. V.K. Jindal, Sr. Advocate with
Mr. Rajesh Bansal, Advocate for petitioner.

Ms. Geeta Sharma, Dag Haryana

AVNEESH JHINGAN, J (ORAL)

Aggrieved of rejection of prayer for grant of regular bail in FIR No. 151 dated 10.6.2019, under Section 420 of Indian Penal Code 1860 (later on added Sections 120-B, 201, 411, 467, 468, 471 of IPC, 1860, registered at Police Station Sector 37, District Gurugram, the present petition is filed.

Complainant Leela Ram alleged that the Land Acquisition Compensation received by him in an account with State Bank of India, Sector-10 Gurugram was withdrawn by the unknown persons. During investigation Sanjeev Yadav, Hari Singh were arrested and thereafter other co-accused as named in the disclosure were taken in the custody. The investigation was handed over to Special Investigation Team, thereafter, Amit Chandna, Hitesh Goyal and Prem Kumar were arrested on 12th August, 2021. Hitesh Goyal was found to have prepared the documents used for issuance of SIM card. Amit Chandna had handed over 500 SIM cards procured on forged documents to Sachin Gupta-petitioner, who further gave the same to Hitesh Goyal.

Learned Senior Counsel for petitioner submits that the petitioner is in custody since 18th August, 2021, investigation is complete, no recovery was made from the petitioner, co-accused were granted regular bail and anticipatory bail. Petitioner is not involved in any other case. No active role has been attributed to the petitioner except for taking SIM from one co-accused and handing them to Hitesh Goyal.

Learned State counsel opposes the prayer and submits that it is a case of online fraud. All the accused acted in connivance to dupe the complainant of his land acquisition compensation amount.

Without commenting upon the merits of the case, considering the nature of allegations against the petitioner, albeit investigation is complete conclusion of trial is likely to take time, co-accused have been granted regular bail and anticipatory bail, the petitioner has no criminal antecedents and no useful purpose would be served by depriving the personal liberty of petitioner, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

5th July, 2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>