

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

CRM-M No. 1733 of 2022

Date of Decision: 28.03.2022

Ajay Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. R.S. Mamli, Advocate,
for the petitioner.

Mr. Tanuj Sharma, Assistant Advocate General, Haryana

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition under Section 439 Cr.P.C., seeks grant of regular bail in case FIR No. 6 of 15.07.2021, which was registered against him, at Police Station Cyber Crime, Hisar Range, Hisar, constituting therein offences under Sections 406, 420, 467, 468, 471, 120-B of the IPC.

2. The bail applicant-petitioner is stated to be suffering judicial incarceration since 12.10.2021.

3. The incriminatory role attributed to the bail petitioner is of his through his mobile phone transmitting the details and particulars of the complainant, hence to other co-accused.

4. However, it is also submitted by the learned State Counsel, on instructions, meted to him, by Inspector Rajpal Singh, that apart from the above, no other incriminatory role is attributed to the petitioner in the FIR (supra).

5. Be that as it may, with respect to other co-accused, namely, Jitender Kumar @ Kunal, and, Vivek Kumar, who had even received parts

of duped money, from the complainant, this Court has proceeded to, through

orders respectively made on 24.03.2022, upon CRM-M-8038-2022, and, upon CRM-M-11313-2022, grant them regular bail.

6. Consequently, when the incriminatory role of the bail petitioner is not grave and heinous, as the one attributed to the co-accused (supra). Therefore, this Court does not deem it fit to order for any prolongation of the judicial incarceration of the petitioner. Contrarily, it is deemed appropriate to admit to bail, the bail petitioner.

7. Consequently, the instant petition is allowed, and the bail applicant – petitioner is ordered to be released from judicial custody, on his furnishing, personal and surety bonds in the sum of ₹ 50,000/- each, before the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned, and, also subject to his not tampering with prosecution evidence, and/or not influencing prosecution witnesses, and, also his appearing before the trial Court concerned as and when he is required to be making his personal appearance unless validly exempted.

March 28, 2022
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(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>