

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205

CRM-M-7923-2022

DATE OF DECISION: 09.03.2022

NEEL KAMAL NAIN

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Kshitij Sharma, Advocate for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.126 dated 13.09.2021, under Sections 420, 465, 468, 471, 120-B IPC (Section 467 IPC added later on) and Section 66(D) of the Information Technology Act, 2000, registered at Police Station Phase 8, SAS Nagar Mohali.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR. He further contends that co-accused Hari Krishan was arrested and on his statement, co-accused Chander Bhan was arraigned as an accused and arrested. The petitioner has been arraigned as an accused on the statement of co-accused Chander Bhan. The allegations are that the petitioner along with other accused was cheating innocent persons by promising them to get selected in Punjab police and other government departments. He also contends that there is no instance of any particular individual having been cheated or any money being received by the petitioner. The only recovery, which has been effected from the petitioner, is a laptop and two mobile phones. He is in custody for over 5 months. He had earlier been granted interim bail as his mother is suffering from Stage III cancer and had surrendered promptly in terms of the order of the Court. The co-accused Manjit Kumar has been granted anticipatory bail by the coordinate Bench of this Court in CRM-M-7922 of 2022 on 07.03.2022. He is not involved in any other criminal case.

Learned State counsel, upon instructions from ASI Gurpartap Singh, contends that challan has been filed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner is in custody for over 5 months, the co-accused has been granted anticipatory bail, he is not involved in any other criminal case, 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

09.03.2022

SwarnjitS

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