

**In The High Court for the States of Punjab and Haryana  
At Chandigarh**

CRM-M-11740-2022 (O&M)

Date of Decision:- 27.5.2022

Sandeep alias Monu

... Petitioner

Versus

U.T. Chandigarh

... Respondent

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Kanhiya Soni, Advocate, for the petitioner.

Mr. P.S.Paul, Addl. PP, U.T. Chandigarh.

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**GURVINDER SINGH GILL, J.** (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.102, dated 4.5.2020, Police Station Sector 17, Chandigarh, under Section 420 IPC.
2. The allegations, in nutshell, are that the petitioner by way of cloning the ATM card of the complainant had withdrawn an amount of Rs.20,000/- from the bank account of the complainant.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case since the complainant already stands examined, he deserves the concession of bail particularly in view of the fact that the trial is proceeding at snail's pace.

4. On the other hand, learned State counsel has submitted that there is convincing evidence to establish the involvement of the petitioner in the shape of CCTV footage of the ATM kiosk. Learned State counsel has further informed that the petitioner stands involved in another identical matter and that as such it is apparent that he has been into such kind of offences. Learned State counsel has informed that the petitioner as on date has been behind bars since the last more than 4 months and that challan already stands presented.
5. I have considered rival submissions addressed before this Court.
6. Without commenting anything as regards merits of the case, but while noticing that it is a case where the petitioner has been behind bars since the last more than 4 months and the allegations pertain to an amount of Rs.20,000/- and the complainant already stands examined, further detention of the petitioner will not be justified particularly when only 1 out of the cited 8 PWs has been examined till date. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**27.5.2022**

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**( GURVINDER SINGH GILL )  
JUDGE**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No