

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

**CRM-M No. 14388 of 2022
Date of Decision: 08.04.2022**

Deepak

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Japjit Singh Johal, 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. 0006 of 15.07.2021, which was registered against him, at Police Station Cyber Crime Police Station, Hisar Range, Hisar, constituting therein offences under Sections 406, 420 of the IPC (Sections 467, 468, 471, 201, 120-B of the IPC, and, Section 66-D of the IT Act, 2000, added later on).

2. The bail applicant-petitioner is stated to be suffering judicial incarceration since 19.11.2021.

3. The incriminatory role, as, becomes attributed to the bail petitioner, is of his fabricating documents, hence facilitating the opening of bank accounts in the name of co-accused, one, Vivek Kumar, resulting in a sum of Rs. 23,000/- entering thereinto.

4. Consequently, since apart from the afore falsification of documents, no money has entered into the account of the bail petitioner.

5. Be that as it may, since the bail petitioner is suffering judicial custody since 19.11.2021, and, also when no evidence has been adduced by

the prosecution, that in the event of the bail applicant being enlarged on

regular bail, there is every likelihood of his fleeing from India, and, or, tampering with prosecution evidence. Therefore, it is not deemed fit to order for any prolongation of the judicial incarceration of the petitioner, as, thereupon, his personal liberty would become unnecessarily curtailed, and, fettered. Contrarily, it is deemed appropriate to admit to bail, the bail petitioner.

6. Consequently, the instant petition is allowed, and the bail applicant – petitioner is ordered to be released from judicial custody, on his furnishing, within one week, 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.

April 08, 2022
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(SURESHWAR THAKUR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No