

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-18835-2022

Date of Decision: 27.7.2022

Shan Mohammad

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Vaibhav Parashar, Advocate
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana

KARAMJIT SINGH, J.

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.67 dated 7.12.2021 registered for the offences punishable under Sections 419, 420 IPC at Police Station Cyber Crime, Faridabad.

Counsel for the petitioner contends that initially, the petitioner was not named in the FIR but was nominated as accused on the basis of disclosure alleged to be made by co-accused Pradeep Kumar and Amit. He further contends that on completion of investigation, the police has presented the challan but charges are yet to be framed. Counsel for the petitioner submits that the petitioner is in custody since 23.1.2022 and it will take time for the trial to terminate.

Status report by way of affidavit of Surender Sheoran, Assistant Commissioner of Police, Crime, Faridabad along with Annexure R-1 filed on behalf of respondent-State is ordered to taken on record. State counsel

has not controverted the fact regarding custody period of the petitioner as well as the fact that the petitioner was not named in the FIR and further that challan has been presented on completion of investigation.

I have considered the submissions made by the counsel for the parties.

Admittedly, recoveries have already been effected in the present case. The petitioner who was arrested on 23.1.2022 is presently lodged in judicial custody and is not required by the police as investigation has been completed and challan has been presented by the police. Co-accused Tarun Singh has been granted regular bail by this Court vide order dated 23.5.2022 passed in CRM-M-21498-2022 while another co-accused Pradeep Kumar has been given concession of regular bail by the Court of Additional Sessions Judge, Faridabad vide order dated 6.6.2022.

It will take time for conclusion of trial. Thus, no fruitful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

July 27, 2022

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No