

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

221-A

CRM-M-22841-2021 (O&M)

Date of Decision: 11.02.2022

GAURAV @ MONU

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Devender Arya, Advocate
for the petitioner.

Mr. Surender Singh, AAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.449 dated 31.12.2019, registered under Sections 406, 420, 467, 468, 471, 201, 120-B IPC and Section 66-D of IT Act, at Police Station Kanina, District Mahendergarh.

Learned counsel for the petitioner submits that the petitioner was not named in the present FIR; that the petitioner has been indicted on the basis of the disclosure statement of co-accused, namely Devashish Priyadarshi and that the petitioner has been in custody since 16.01.2021. He further submits that the allegation against the petitioner is that he, after purchasing the bank account from Devashish Priyadarshi for an amount of Rs.10,000/-, had operated the same by giving his telephone number; that the amount of Rs.6,75,000/- received in the said bank account had been withdrawn by the

petitioner; that the offences are triable by Magistrate and that there is no other case registered and/or pending against the petitioner.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the petitioner along with other co-accused was operating a gang to cheat the innocent persons by giving an advertisement for getting the agency of JAWA motorcycles. He further submits that the complainant had deposited a huge amount of Rs.29,60,000/- in various accounts through RTGS for the purpose of getting the agency of JAWA Motorcycle. Still further, it is submitted that post framing of charges, prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.01.2021. There is no other case registered and/or pending against the petitioner. Prosecution evidence is yet to commence. In such circumstance, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

11.02.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

: *Yes/No*
: *Yes/No*