

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

**CRM-M-26918-2022
Date of decision: 29.06.2022**

Sunil Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Promila Nain, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 0298 dated 06.10.2021, registered under Sections 419, 420, 120-B of the IPC and Sections 66-C and 66-D of the Information Technology Act at Police Station Sector 13, 17, Panipat.

Learned counsel for the petitioner, at the very outset, relies upon order dated 25.02.2022 passed in CRM-M-52944-2021, vide which co-accused Akash Kumar has been granted the concession of regular bail by this Court. The operative part of the order reads as under:

“Learned counsel appearing for the petitioner would contend that the petitioner has been falsely implicated in the aforesaid matter, as the investigation has been completed and the challan stands presented and there is nothing incriminating found against him. The petitioner is a resident of Jaipur and has no concern with the accused Ashok @ Shoki or lab namely Asia Pacific Institute of Information Technology, Panipat as alleged

by the prosecution. The petitioner is in custody since 07.10.2021 and the trial is likely to take some time to conclude, therefore, prays of concession of bail to the petitioner.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner by contending that it is a cyber scam involving large number of persons and therefore, investigation has not been completed yet, however, he does not dispute the fact that the investigation qua petitioner herein has been completed and the challan stands presented.”

Learned counsel for the petitioner further submits that vide order dated 25.02.2022 passed in CRM-M-53933-2021, another co-accused namely Ravinder alias Bittu has also been granted the concession of regular bail by this Court.

Learned counsel further submits that the petitioner is in judicial custody for the last 03 months and 04 days; he is not involved in any other case; investigation qua the petitioner is complete and conclusion of trial may take a long time as the offences are triable by the Court of a Magistrate.

Learned State counsel, on the basis of the affidavit of the DSP, Special Task Force, Gurugram, Unit at Sonipat, submits that during investigation, it has come in evidence that the petitioner used to send admit cards/roll numbers of the candidates on Whats App for securing success for them, after making settlement of the money.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the aforesaid facts and also in view of the fact that petitioner is not involved in any other case; investigation qua him is complete and conclusion of trial may take some

time as the offences are triable by the Court of a Magistrate, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned.

29.06.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No