

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

212

CRM-M-37285-2022
Date of decision : 26.08.2022

Jahid @ Sukha

Petitioner

V/S

State of Haryana

Respondent

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Vinay Phogat, D.A.G., Haryana
for he respondent-State.

ASHOK KUMAR VERMA, J. (ORAL)

The petitioner has filed the present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.159 dated 28.03.2022 registered under Sections 406, 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 at Police Station City Thanesar, District Kurukshetra.

The above-said FIR was registered on a complaint made by complainant-Manish alleging that on 28.03.2022 he received a telephonic call on mobile No.7206646443 of Dr. Anuj Bhatia from the accused who impersonating himself as an Army Officer of Sainik House, Kurukshetra and stated that he wants to conduct the blood test of his 20 Sainik. Thereafter, he committed online cheating/fraud and thereby causing wrongful loss of Rs.28,000/- to the complainant.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. The petitioner was not named in the FIR. The challan has been presented in the case on 27.05.2022 and the amount has already been recovered. After arrest in the present FIR, the prosecution has also falsely implicated the petitioner in two other cases. The petitioner is in custody since 31.03.2022. The trial is likely to take long time. No useful purpose will

be served by further detention of the petitioner in custody. Therefore, the petitioner may be released on regular bail.

Learned State counsel has opposed the present petition on the ground that the petitioner by impersonating himself as an Army Officer has committed online cheating/fraud. He has further submitted that the challan has been presented in the trial Court and charge-sheet has been filed.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner already in judicial custody for the last more than 04 months and the fact that the trial is likely to take long time, the instant petition is allowed. The petitioner-Jahid @ Sukha is ordered to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

However, bail is granted to the petitioner subject to the condition that he will not commit any similar offence after his release on bail and in case of involvement of the petitioner in commission of any similar offence in future, his bail in the present case shall also be liable to be cancelled on application to be filed in this regard.

26.08.2022

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(ASHOK KUMAR VERMA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No