

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

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CRM-M-37861-2022

Date of Decision : August 31, 2022

NASIR HUSSAIN

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Deepkaran Dalal, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

JASGURPREET SINGH PURI. J. (Oral)

The present 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.185 dated 29.7.2021 under Sections 406, 420, 467, 468, 471, 120B, 201 IPC and Sections 66-C & 66-D of I.T. Act, 2000, registered at Police Station Lakhan Majra, Rohtak, Haryana.

It has been submitted by the learned counsel for the petitioner that in the present case, the petitioner has been falsely implicated and now the challan has been presented before the competent Court. He submitted that as per the allegations the complainant was duped of Rs.1 lacs through PhonePe. He further submitted that no amount was transferred in the name of the petitioner and his name was nominated afterwards. He submitted that the petitioner is not involved in any other case and considering the fact that the investigation of the case has already been completed and the trial of the case may take long time, he may be considered for the grant of regular bail.

On the other hand, the learned State counsel has submitted that it is correct that the petitioner is in custody from 14.4.2022 and the investigation of the case has been completed and the challan has been

presented before the competent Court. He submitted that it is a case where the petitioner alongwith other co-accused have duped the complainant by opening a fake account and thereafter transferring the money in that fake account and it was all mastered by the petitioner. So far as the involvement of the petitioner in other cases is concerned, the learned State counsel has stated that there is no other case against the petitioner.

I have heard the learned counsels for the parties.

The petitioner is in custody from 14.4.2022 and the investigation of the case has been completed and the challan has also been presented before the competent Court. As per the learned counsels for the parties, the petitioner is not involved in any other case. The subject matter of the present dispute is Rs.1 lacs. The trial of the case may take long time and it is not the case of the State that in case the petitioner is released on bail then he may influence any witness or may tamper with any evidence or may flee from justice.

Therefore, without commenting upon the merits and circumstances of the present case, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(JASGURPREET SINGH PURI)
JUDGE

August 31, 2022

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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No