

CRM-M-47895-2021

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

CRM-M-47895-2021

Date of decision: 27.01.2022

Nawal Kishore

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sarvjit Singh Khurana, 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.243 dated 21.06.2021, registered at Police Station DLF, District Gurugram, under Sections 419, 420, 424, 463, 465, 467, 468 and 471 IPC, Sections 43 and 66-B of the Information Technology Act (Section 66-B of the Information Technology Act deleted and Sections 201 and 120-B IPC and Section 66-C of the Information Technology Act added later on).

Status report dated 25.01.2022, by way of affidavit of the Assistant Commissioner of Police, DLF, Gurugram, has been filed through e-mail. Print out of the same is taken on record.

The allegations against the petitioner are that he being an employee of the HDFC Bank opened a bank account in the name of one Deepika Bhalla, by forging her driving licence and PAN Card, which had been prepared by co-accused Nitish and Suraj, and that the petitioner was offered Rs.1 lakh by the above named co-accused for opening the bank

account.

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Learned counsel for the petitioner contends that the petitioner has not caused any financial loss to the complainant; that as per the status report dated 25.01.2022, the specimen signatures of the complainant and the account opening form have been sent to RFSL Bhondsi and the reports from RFSL Bhondsi and DITAC Lab are still awaited; that the petitioner has been in custody since 30.06.2021. On this premise, the learned counsel for the petitioner prays for the grant of bail to the petitioner.

On the other hand, learned State counsel, while opposing the submissions made by the learned counsel for the petitioner for the grant of bail, submits that though the report from RFSL Bhondsi and DITAC Lab are still awaited, yet the fact remains that the mobile used by the petitioner stands recovered.

I have heard the learned counsel for the parties.

The report from RFSL Bhondsi and DITAC Lab are still awaited. The challan stands presented. The prosecution witnesses are yet to be examined. The petitioner has been in custody since 30.06.2021. Trial of the case would take 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.

27.01.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No