

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

230

CRM-M-49357-2021 (O&M)

Date of Decision: 24.08.2022

Hari Kishan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Jasdeep Singh, Advocate,
for the petitioner.

Mr. Sidharth Attri, AAG, Punjab,
assisted by ASI Gurpratap Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered against him vide FIR No.0126 dated 13.09.2021, Police Station Phase-8, District S.A.S. Nagar, under Sections 420, 465, 467, 468, 471, 120-B of Indian Penal Code and Section 66-D of IT Act, 2000.
2. The FIR was lodged pursuant to receipt of secret information by the police to the effect that Hari Kishan (petitioner) along with Manjit Kumar, Bahan Singh, Kuldeep Singh @ Foki, Sandeep Kumar, Sumit Kumar, Soni Singh @ Sonu Gujjar, Yogesh and Chota Ram @ Giyani were planning to defraud innocent persons on the pretext of getting them recruited in Punjab Police and in other departments wherein recruitment was being conducted through online process. It is alleged that the said

persons were cheating innocent persons and were collecting huge amount on the pretext of getting them employment.

3. It is the case of prosecution that pursuant to receipt of said information, a raid was conducted at the house of Hari Kishan and upon whose disclosure statement Chanderbhan, Ritika and Neelkamal were arrested. It is further the case of prosecution that 15 admit cards/roll numbers along with one communication device, 1 blue-tooth bug and a sum of Rs.8,60,000/- were also recovered from Chanderbhan. Another 17 admit cards/roll numbers along with one communication device, 1 blue-tooth bug and one electric cash counter are stated to have been recovered from Ritika. Two mobile phones and one laptop are stated to have been recovered pursuant to disclosure statement made by Neelkamal. The aforesaid persons are stated to have disclosed the names of other accused namely Ajay Dohan, Pardeep alias Kala, Chander Mohan alias CM and Vikas alias Vicky.
4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that the FIR is based on vague allegations without there being any reference as to which selection process was going on in respect of which the accused are stated to have defrauded the innocent persons.
5. Opposing the petition, learned State counsel has submitted that since two mobile phones were recovered from the petitioner and incriminating material has also been got recovered from other co-accused, the complicity of the petitioner is clearly evident. Learned State counsel has, however, informed that the petitioner as on date has been behind bars

since the last more than 1 year and that he is not involved in any other case. It has also been informed that the charges are yet to be framed and as many as 13 PWs have been cited.

6. I have considered rival submissions addressed before this Court.
7. Without commenting anything as regards the merits of the case, but while noticing that the petitioner has been behind bars for a substantial period of more than 1 year and that trial has not even commenced till date, further detention of the petitioner, who otherwise has a clean record, will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

24.08.2022

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**