

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

CRM-M-49875-2021 (O&M)

Date of decision: 08.03.2022

Nisharg and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. P. K. Dwivedi, Advocate
for the petitioners.

Ms. Tanushree Gupta, 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 petitioners in case FIR No. 33 dated 06.06.2021, registered under Sections 420, 467, 468, 471, 120-B of the IPC and Sections 43, 66D and 75 of the Information Technology Act at Police Station Cyber Crime, Gurugram, District Gurugram.

Learned counsel for the petitioners submits that as per allegations in the FIR, registered at the instance of Inspector Azad Singh, it is stated that he got an information that a fake call centre is being run and on receiving such information, he raided the premises, where it was found that some boys and girls, wearing ear phones/head phones in their ears, were talking to other people in English language. The photographs and videos of the boys and girls, who were working in the said call centre, were taken and on inquiry, they disclosed that owners of the centre are one Jigar Parmar,

Bhola, Deepak and Maulik, who were not present at the spot.

Learned counsel for the petitioners further submits that the petitioners were the employees of the said call centre and they are the first offenders and in judicial custody for the last more than 08 months. It is further submitted that challan has been presented and the petitioners are no more required for any further custodial investigation.

Learned State counsel has filed the custody certificate and has not disputed the factual position. She submits that challan has been presented, however, charges have not been framed so far.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioners are in judicial custody for the last more than 08 months; they are not involved in any other case and also in view of the fact that conclusion of trial is likely to take a long time as even charges have not been framed so far, the instant petition is allowed. The petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

08.03.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No