

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

217

**CRM-M-51781-2022 (O&M)
Decided on : 19.12.2022**

Abhishek Kumar

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Vishal Aggarwal, Advocate
for the petitioner.

Mr. Vikas Bhardwaj, AAG, Haryana.

Respondent No. 2-Dharambir in person.

SANJAY VASHISTH, J. (Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973, for grant of regular bail to the petitioner – Abhishek Kumar, who has been booked for having committed the offences punishable under Sections 406, 420, 467, 468, 471, 120-B, 201 IPC and Section 66 D of IT Act, in FIR No. 04 dated 10.06.2021, registered at Police Station Cyber Crime, District Hisar.

On oral request of learned counsel for the petitioner complainant- Dharambir s/o Sh. Raj Kumar having Adhaar Card No. 825834014971, r/o VPO Rampura, Tehsil Hansi, District Hisar, is impleaded as respondent No. 2 in the present petition.

Amended memo of parties has been produced by learned counsel for the petitioner in the Court today itself and same is taken on record. Registry is directed to tag the same at appropriate place.

At this stage, Mr. Lovish Rattan, Advocate, appears along with

newly added-respondent No. 2/complainant and files his vakalatnama on behalf of respondent No. 2/complainant. He submits that dispute between the parties in regard to amount of Rs.15,000/- has been resolved amicably amongst parties. Learned counsel for respondent No. 2 as well as respondent No. 2 stated that complainant has no objection, if petitioner is granted bail by this Court.

In support of said submission, respondent No. 2 has also filed his affidavit dated 19.12.2022 and same is taken on record. Registry is directed to tag the same at appropriate place.

Per contra, Mr. Vikas Bhardwaj, AAG, Haryana, has produced custody certificate dated 19.12.2022 and same is taken on record. He submits that as per said custody certificate, petitioner has already undergone 04 months and 09 days of total period of sentence.

In view of the aforementioned statement made by complainant, learned State counsel does not raise any serious objection for the purpose of granting of bail to the petitioner.

I have considered the submissions of both the sides, and perused the material available on record with their able assistance.

In view of the stand of the parties mentioned hereabove and in more specific giving of no objection by learned State counsel and filing of affidavit by respondent No. 2, this Court is of the view that the petitioner should be granted bail.

In view of the aforementioned facts and circumstances of the case and the submissions recorded hereabove, present petition is **allowed**. Petitioner is ordered to be released on bail in this case, subject to his furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if

not required in any other case.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

Disposed of.

(SANJAY VASHISTH)
JUDGE

December 19, 2022
Riya

Whether speaking/reasoned: *Yes/~~No~~*
Whether Reportable: *Yes/~~No~~*