

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-6082-2023 in/and
CRM-M-4126-2023 (O&M)
Date of Decision: 14.02.2023

Lalit Sharma

... Petitioner

V/s.

State of Haryana

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Vishal Nehra, Advocate and
Mr. B.S. Dhull, Advocate
for the applicant-petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA, J.(Oral)

CRM-6082-2023

The instant application has been filed for placing on record the correct copy of impugned order passed by the the Addl. Sessions Judge, Gurugram as Annexure P-2.

For the reasons mentioned therein, the application is allowed.

Document as Annexure P-2 is taken on record subject to all just exceptions.

CRM-M-4126-2023

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 86 dated 22.12.2022, under Sections 420, 120-B IPC and Section 66-D and 75 of Information Technology Act, 2000 registered at Police Station Cyber Crime, Gurugram.

Learned counsel for the petitioner contends that the petitioner is in custody since 23.12.2022. He submits that the petitioner has been falsely implicated in the present case by the police in connivance with the complainant and there is no direct evidence available on the record to link the petitioner with the alleged offence, moreover he was just an employee of the company having no knowledge about the alleged fraud being committed by the said company (call centre). He further submits that nothing has been recovered from the petitioner and he has no other criminal antecedents and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Per contra learned counsel appearing on behalf of respondent-State, on instructions from the SI Sunder Pal, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and that the laptop recovered from the place of occurrence has been sent to the Laboratory for analysis though its report is still awaited. He, however, does not dispute the fact that there is no other case pending against the petitioner.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 23.12.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since nothing has been recovered from the petitioner and he has no other criminal antecedents and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

Resultantly, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

14.02.2023
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Whether speaking/reasoned	Yes
Whether Reportable	Yes /No