

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216

CRM-M-12656-2023

Date of decision: 03.05.2023

Raghav Dadhich

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Jagjit Singh Chatrath, Advocate
for the petitioner.

Mr. Rahul Mohan, Sr. DAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.0405 dated 03.09.2022 under Sections 406 and 420 of the IPC (Section 120-B added lateron) registered at Police Station Model Town, Panipat.

2. Learned State counsel has filed affidavit of Sandeep Kumar, HPS, Deputy Superintendent of Police, Traffic, Panipat on behalf of the respondent-State in the Court today which is taken on record subject to all just exceptions.

3. Learned counsel for the petitioner submits that a false and fabricated case has been planted upon the petitioner. It has been submitted that the petitioner has now been in custody since 15.12.2022 in a Magisterial trial and there is no likelihood of the trial concluding in the near future as only charges stand framed till date. It has also been submitted that since 17 prosecution witnesses have been cited, trial

shall take considerable time to conclude. Learned counsel further submits that the petitioner has clean as he is not involved in any other criminal case much less a case of similar nature.

4. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite on instructions from ASI Vinod, has submitted that there are serious allegations against the petitioner of having created a fake ID and opened a bank account in the name of one Raju Sen. The petitioner along with co-accused thereafter created a fake net banking account and gave its link to the complainant on his Instagram account. A fake ID was then again created by the accused. Consequently, the complainant was defrauded for an amount of ₹1,07,336/- which they debited in the account of above Raju Sen. The said amount was thereafter withdrawn by the accused from the account of said Raju Sen, who was not even aware about any account having been opened in his name in the bank concerned. Learned State counsel submits that the FSL report which has been annexed with their reply, fully corroborates the allegations levelled against the petitioner in the FIR in question. Learned State counsel has, however, not controverted that the petitioner is not involved in any other case much less a case of similar nature.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner has now been in custody since 15.12.2022 in a Magisterial trial. Investigation is complete and evidence has not yet commenced which is likely to commence on the next date i.e. 09.05.2023. The trial is thus unlikely to conclude in the near future. In

the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

03.05.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No