

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M- 14502 of 2023
Date of Decision:13.04.2023.

Suraj @ Suraj Kumar

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWALPresent: Mr. Parunjeet Singh, Advocate
for the petitioner.

Mr. Ravinder Singh, A.A.G., Punjab.

VIKRAM AGGARWAL, J. (ORAL)

Prayer in the present petition is for the grant of regular bail to the petitioner in case FIR No.04 dated 21.07.2022, under Sections 420, 464, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860 (for short 'the Act') and Section 66-D of the Information Technology Act, 2000, registered at Police Station Cyber Crime, Jhajjar (Annexure P-1).

On a complaint submitted by one Ram Kishan, the present FIR was registered. It was alleged by him that a sum of more than ₹ 1,00,000/- had been fraudulently withdrawn by some unknown person from his account w.e.f. 15.05.2022 to 16.06.2022. FIR was registered. During investigation certain persons were arrested and the present petitioner was also named by some of the persons arrested. The petitioner was arrested on 02.12.2022. It came during the investigation that the petitioner along with other persons used to induce different persons that they would secure jobs for them and used to get activated sim cards of Mobile Phones on false and fabricated documents and also used to open their bank accounts and thereafter withdraw cash from the bank accounts by cloning thumb impressions of accounts holders.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated. He submits that there is no other case registered against the petitioner and his antecedents are clean. He further submits that the petitioner is in custody since 02.12.2022; more than 04 months have elapsed; final report under Section 173 Cr.P.C. has been submitted; trial will take a sufficiently long time and, therefore, no useful purpose will be served by keeping the petitioner in custody any longer.

On the other hand, learned counsel representing the State of Haryana has opposed the bail application. However, it is admitted on instructions from P/SI Deepak, submits that no other case is pending against the petitioner and also that final report under Section 173 Cr.P.C. has already been submitted.

I have considered the submissions made by learned counsel for the parties. The petitioner is in custody for the last more than 04 months. Whether actually he has committed the offence or not shall be determined during the course of the trial. He is not stated to be a previous offender. Final report under Section 173 Cr.P.C. has already been submitted and trial will take a sufficiently long time and, therefore, no useful purpose will be served by keeping the petitioner in custody any longer.

In view of the above, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

(VIKRAM AGGARWAL)
JUDGE

April 13th, 2023

Rekha

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