

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16036-2023
Decided on : 25.05.2023

Kuldeep Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gurinder Pal Singh, Advocate
for the petitioner.

Mr. Chetan Sharma, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

1. The petitioner is seeking concession of regular bail in case FIR No.82 dated 14.12.2022 under Sections 419, 420, 204, 467 and 120-B IPC registered at Cyber Crime East, Gurugram.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand. In fact, the petitioner has no role to play in the crime in question as he had not sent any OTP link to the complainant and the amount transferred into his account was Rs.13,000/- only. Learned counsel submits that the petitioner has now been in custody since 18.02.2023 and the investigation is complete as challan stands presented. Learned counsel further submits that there is no likelihood of the trial concluding in the near future. It has also been submitted that in the above facts and circumstances, further incarceration of the petitioner would serve no useful purpose.

3. Per contra, learned State counsel while opposing the prayer made by

counsel opposite has not been able to controvert that investigation is complete and challan stands presented. Learned State counsel, however, submits that the petitioner is involved in another case of similar nature in the State of Rajasthan wherein he has been enlarged on bail vide order dated 15.02.2023 (Annexure P-5). Learned State counsel further submits that the next date fixed before the trial Court is 29.05.2023 when the charges are likely to be framed.

4. Heard learned counsel for the parties and perused the relevant material on record.

5. The investigation is complete and challan stands presented coupled with the fact that the petitioner has been challaned for offences, which are triable by the Magistrate. Therefore, further incarceration of the petitioner in the aforesaid facts and circumstances would serve no useful purpose. Accordingly, the present petition is allowed. The petitioner be admitted to bail to the satisfaction to the trial Court/Duty Magistrate concerned.

6. 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.

(MANJARI NEHRU KAUL)
JUDGE

25.05.2023

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No