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

218 **CRM-M-17625-2023**
Date of Decision: July 17, 2023

Inderjeet @ Indrajeet Singh ...Petitioner

Versus

State of Haryana ... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Baljeet Beniwal, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has moved the present petition under Section 439 Cr.P.C. with a prayer to grant the concession of regular bail to her in case FIR No. 15 dated 09.12.2022 under Sections 406, 419, 420, 467, 468, 471, 120-B and 201 IPC and Sections 66C, 66D, 72 of Information Technology Act 2000 registered at Police Station Cyber Crime, Palwal, District Palwal, Haryana.

2. The FIR in the instant case was registered on the basis of the statement made by Bharat Singh, complainant by alleging that during the period from 06.08.2022 to 02.11.2022, an amount of Rs. 2,09,140/- was fraudulently transferred from the account maintained by his wife Ms. Sunita in Gurgaon Gramin Bank. As per the prosecution, during the course of investigation, it transpired that the said amount was transferred in the account of one Chand Khan son of Samsudeen resident of Bangarbadh, District Mathura. Chand

Khan disclosed that about two months ago, the present petitioner alongwith one Jeetu came to him and took his Aadhar card and PAN car by falsely representing that they would give some amount for the marriage of his daughter. The petitioner and Jeetu also obtained the thumb impressions of Chand Khan on certain documents. Later on, by committing certain forgeries, the amount was transferred in the account of Chand Khan. It was also found that the petitioner also transferred an amount of Rs. 51,500/- from the account of one Smt. Bimla through AEPS scheme. With these broad allegations, the FIR was registered in the present case.

3. Learned counsel for the petitioner contends that he had no connection with Chand Khan, the alleged main beneficiary in the present case and no money was transferred in the account of the present petitioner. Even during the course of investigation, no recovery was effected from him, which could establish his complicity in the commission of the crime in the present case. He was arrested in the present case on 09.12.2022 and he is in custody for the last about eight months. He further contends that only four witnesses have been examined out of the total fifteen witnesses and the conclusion of the trial may take quite a long time.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the petitioner on the ground that he is the main accused, who committed the forgery and fraudulently got the money transferred in the account of Chand Khan. She further

contends that even the amount of Rs. 51,500/- was fraudulently got transferred from the account of Smt. Bimla also. She further contends that one more case was also registered against the petitioner, however, she admits that the petitioner is on bail in the said case.

5. I have heard the rival contentions made by the learned counsel for the parties and perused the record with their able assistance.

6. It is not in dispute that the petitioner was arrested in the present case on 09.12.2022 and only four witnesses out of total 15 witnesses have been examined and the next date of hearing before the trial Court is fixed on 24.07.2023. Even otherwise, the entire prosecution case hinges on the testimonies of the complainant and the official witnesses and the petitioner is not in a position to influence the witnesses in any manner.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

July 17, 2023 **(N.S.SHEKHAWAT)**
amit rana **JUDGE**

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