

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

(211)

CRM-M-20597-2023
DATE OF DECISION:-17.05.2023

Innocent Otti

...Petitioner

vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Tarun Singhal, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARKESH MANUJA, J.

(1) By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner prays for grant of bail pending trial in case FIR No.04 dated 05.08.2022 under Sections 419, 420, 120-B, 379-B IPC and 66C, 66D of IT Act and Section 14A and 31 of Foreigners Act, registered at Police Station Cyber Cell, Ballabgarh, District Faridabad.

(2) As per allegations in the FIR one Hardik Bhat and Priyanka Verma duped the complainant under the pretext of making investment in the foreign countries.

(3) Learned counsel for the petitioner submits that the investigation in the present case already stands concluded with the filing of *challan* and petitioner has already suffered incarceration for a period of 9 months now and the trial is likely to take some time as none of the prosecution witnesses has been examined. Learned counsel further submits that no recovery has been effected from the petitioner.

(4) On the other hand, learned State counsel opposes the prayer made herein while submitting that in the present case, it is the petitioner who

impersonated as a fake identity and played fraud upon the complainant.

(5) I have heard learned counsel for the parties at length and gone through the paper book. I am unable to find substance in the submissions made on behalf of petitioners, particularly when during investigation, he has been found with 6 mobile phones with four different numbers and sim cards also recovered from him and even the arrest of the girl who acted as Priyanka Verma i.e. the close accomplice of the petitioner is yet to be made. As rightly pointed out by learned State counsel while referring to the *challan* one mobile phone from those recovered from the petitioners with IMEI numbers 355852234400815 and 355852234392947 one carried Sim number No.8019270173 which was used by the petitioner while calling the complaint and the same has been recovered from him during investigation.

(6) In view of the discussion made hereinabove, I do not deem it appropriate to grant the benefit of regular bail to the petitioner at this stage and the present petition is dismissed accordingly.

17.05.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No