

CRM-M- 20612-2023 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M- 20612-2023 (O&M)

Date of Decision:30.05. 2023

Amit Ratan

... Petitioner

V/s.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Manoj Kumar, Advocate and
Mr. Sandeep Kumar, Advocate
for the petitioner.

Mr. Karan Garg, AAG, Haryana.

DEEPAK MANCHANDA, J.(Oral)

CRM-22704-2023

The instant application has been filed for placing on record the
order dated 31.03.2023 passed by the JMFC, Gurugram as Annexure P-3.

For the reasons mentioned therein, the application is allowed.

Document as Annexure P-3 is taken on record subject to all just
exceptions.

CRM-M- 20612-2023

Petitioner has prayed for grant of regular bail under
Section 439 Cr.P.C. in case FIR No. 15 dated 18.03.2023, under Sections
419, 420, 120-B IPC registered at Police Station Cyber South, Gurugram,
District Gurugram, Haryana.

CRM-M- 20612-2023 (O&M)

Learned counsel for the petitioner contends that the petitioner is in custody since 24.03.2023. He submits that the present FIR has been filed after a delay of three and a half months after the date of occurrence. He further submits that neither the mobile number used in the alleged offence is in the name of the petitioner nor any amount has been transferred in his bank account. He also contends that the petitioner has clean antecedents and the challan stands presented though charges are yet to be framed and conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature, however, does not dispute the fact that the challan stands presented and the petitioner has no other antecedents.

Petitioner is in incarceration since 24.03.2023...

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the challan stands presented and there is no other case pending against the petitioner and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail

CRM-M- 20612-2023 (O&M)

subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

30.05. 2023
seema

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes /No</i>