

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21671 of 2023
Date of decision: 5th May, 2023

Akhilesh
... Petitioner
Versus
State of Haryana
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vijay Sangwan, Advocate for the petitioner.
Mr. Rahul Mohan, Sr. Dy. Advocate General, Haryana
for the respondents/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 Cr.P.C. in case FIR No.212 dated 22.06.2022 under Sections 406, 420 IPC registered at Police Station Sadar Kanina, District Mahendergarh (Haryana).

Learned counsel for the petitioner submits that all the offences, for which the petitioner has been charged, are triable by Magistrate. It has also been submitted that the petitioner has now been in custody since 18.11.2022 and the trial shall take considerable time to conclude as none of the 14 prosecution witnesses cited have been examined till date. Learned counsel has further submitted that the petitioner has no criminal past as he is not involved in any other criminal case, much less of similar nature. A prayer has, therefore, been made for grant of the concession of bail to the petitioner.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from SI Sarika submits that the petitioner, in collusion with the co-accused, duped the complainant of an amount of ₹ 26,37,140/- by fraudulently transferring it into different accounts of all the accused through online mode.

On a pointed query put to the learned State counsel as to whether the petitioner was involved in any other criminal case, he on instructions has replied in the negative.

I have heard learned counsel for the parties and perused the relevant material on record.

In the facts and circumstances as enumerated hereinabove, since the offences, for which the petitioner has been charged, are triable by Magistrate, this Court deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 5, 2023
rps

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