

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

(232)

CRM-M-26996 of 2023
DATE OF DECISION:-01.06.2023

Altaf Paniyar

...Petitioner

vs.

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Sehej Sandhawalia, Advocate, for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

HARKESH MANUJA, J.

(1) By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of bail pending trial in case FIR No.03 dated 29.09.2022 under Sections 419, 420 IPC (467/468/471/120-B IPC added lateron) and Section 66-C & 66-D of the Information Technology (Amended) Act 2008, registered at Police Station Cyber Crime, Kurukshetra. Haryana.

(2) The allegations levelled against the petitioner are that he in collusion with other co-accused duped the complainant of sum of Rs.1.5 Lakhs through an online fraud.

(3) Learned counsel for the petitioner submits that the investigation in the present case already stands concluded with the filing of *challan* on 27.12.2022. So far, even the charges have not been framed and the trial is thus likely to take some time.

(4) On the other hand, learned State counsel vehemently opposes the prayer made herein while submitting that petitioner is part of a gang which commits online fraud and the petitioner was instrumental in providing

forged Aadhar Cards to the other accomplices for the purpose of opening different bank accounts.

(5) I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

(6) The investigation in the present case already stands concluded with the filing of *challan* in the month of December, 2022, however, so far charges have not been framed and the trial is likely to take some time. Besides it, petitioner is the first offender and there is no case pending against him and as per learned counsel for the petitioner, in order to show his *bona fide* he even volunteers to deposit Rs.50,000/- with the trial Court at the time of his release, thus, I do not see any reason to extend his incarceration any further, thus, the petitioner deserves the concession of regular bail.

(7) Without commenting anything on the merits, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The aforesaid amount of Rs.50,000/- which shall be deposited by the petitioner shall be disbursed in favour of the complainant after verification.

01.06.2023
anil

(HARKESH MANUJA)
JUDGE

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