



2023:PHHC: 162726

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118 CRM-51296-2023 in/and
CRM-M-31415-2023 (O&M)
Date of decision: 18.12.2023

Rishav Singh @ Hrishbh
Versus
State of Punjab
...Petitioner
...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

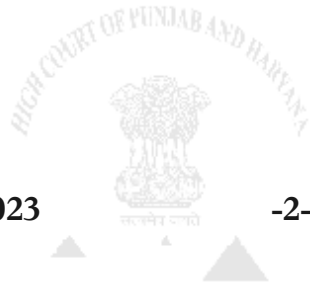
Present: Mr. Karan Dhawan, Advocate for the petitioner.

FIR No.	Dated	Section/s	Police Station
302	17.12.2022	420, 467, 468, 471, 120-B IPC, 66 (C) & 66 (D) of Information Technology Act (467, 468 & 471 IPC added later on)	Division No.8, Ludhiana

VIKAS SURI, J.
CRM-51296-2023

This is an application under Section 482 Cr.P.C. for advancing the date of hearing of the main case from 25.01.2024 on the ground of parity averring that all the co-accused have been granted regular bail vide order dated 01.08.2023 (Annexures A-1 to A-4 & A-6) and the main accused was granted regular bail vide order dated 17.07.2023 (Annexure A-5).

Notice of the application.



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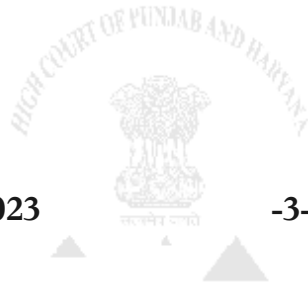
Mr. G.S. Sidhu, AAG, Punjab, accepts notice on behalf of the respondent-State and pleads no objection to the main petition being considered on the ground of parity at an earlier date.

For the reasons mentioned in the application and the submissions noticed above, the instant application is allowed. Hearing of the main case is preponed from 25.01.2024 to today and with the consent of learned counsel for the parties, the same is taken on board for consideration.

CRM stands disposed of.

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1. Seeking regular bail, the petitioner has filed the present petition under Section 439 Cr.P.C. in the above captioned case.
2. Learned counsel for the petitioner contends that petitioner has been falsely implicated in the present case. The petitioner is not involved in the crime as such. Even as per the story of the prosecution, the petitioner is an employee and working in the alleged call centre being run by co-accused Ankush Bassi. The said main co-accused has already been granted concession of bail by this Court in CRM-M-23927-2023 vide order dated 17.07.2023 (Annexure A-5). He further submits that the other similar placed co-accused have also been granted the benefit of regular bail by this Court in CRM-M-30383-2023, CRM-M-26726-2023, CRM-M-30382-2023, CRM-M-29957-2023 and CRM-M-27290-2023 vide orders dated 01.08.2023 (Annexures A-1 to A-4 & A-6). Learned counsel further submits that petitioner is not involved in any case and has clean antecedents as such. The petitioner is in custody since



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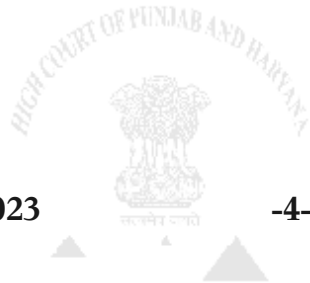
20.12.2022. Challan has already been presented; the trial may take time to conclude, therefore, his further detention shall not serve any fruitful purpose. Hence, the petitioner deserves the concession of bail, pending trial.

3. On the other hand, learned State counsel has opposed the present petition while placing on record custody certificate of the petitioner dated 18.12.2023 by submitting that the petitioner is involved in an illegal activity of fleecing the public of their hard earned money. In fact, the police had collected more than 1.5 lakhs pages of the illegal activity of the firm in which the petitioner was working. He was indulging in trading Bitcoin and deceitful 'phishing' activities and cheating people by playing fraud on them to part with their hard earned money. However, learned State counsel is not in a position to controvert the factual aspects of the matter.

4. I have heard learned counsel for the parties and considered the rival contentions.

5. Keeping in the view the fact that since the main accused Ankush Bassi as well as other similarly situated co-accused have already been granted the concession of bail, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail during the pendency of trial, on his furnishing bail-bond and surety to the satisfaction of the trial Court/Duty Magistrate concerned.

6. It is made clear that the petitioner shall not influence the trial or prosecution witnesses in any manner directly or indirectly.



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7. However, any observation made herein-above shall not be construed as an expression of opinion on the merits of the case.

December 18, 2023
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned :	Yes / No
Whether Reportable :	Yes / No