

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

223

CRM-M-42741-2023 (O&M)  
Date of Decision: 04.12.2023

Arvinda and another

.....Petitioners

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE N.S.SHEKHAWAT**

**Present:** Mr. B.S.Makar, Advocate for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

Ms. Saachi Mahajan, Advocate for  
respondent No.2/complainant.

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**N.S.SHEKHAWAT, J. (Oral)**

1. The petitioners has filed the instant petition under Section 439 Cr.PC with a prayer to grant regular bail in case FIR No. 3 dated 08.09.2022, registered under Sections 120-B, 406, 420, 467, 468, 471, 419 and 506 IPC, 1860 at Police Station Cyber Crime, District Sonipat.

2. This FIR in the present case was registered on the basis of complaint made by Naveen Kumar. As per him, on 25.07.2022 he received a link via SMS on his mobile phone and when the link was clicked and the ID was registered, he received an order on the website, which was to be completed, upon which he would get the commission. Thereafter, he received some orders on his mobile phone through SMS and he completed those orders and he received the amount of orders and the commission was

also credited to his account. Thereafter, he received another order and he transferred another sums in the account number provided to him, by taking loan from his friend Parveen and his wife Renu Kumari. Similar other orders were received by him and in this manner, he deposited 8 lacs in the said account provided to him. However, he came to know later on that a fraud was committed upon him and he did not receive back the said amount of Rs. 8 lacs.

3. Learned counsel for the petitioners contends that the petitioners have been falsely involved in the present case. The petitioners were arrested in the present case on 12.03.2023 and are in custody for the last about 9 months. In the present case, the challan has been filed but only charges have been framed and the Trial Court may take considerable time to conclude the trial and their further custody will serve no meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioners on the ground that the serious allegations have been levelled against them.

5. Learned counsel appearing on behalf of respondent No. 2 submits that the matter has been amicably resolved between the parties and the complainant has no objection, in case the present petition is allowed.

6. I have heard the learned counsel for the parties and with their able assistance, I have gone through the Court record carefully.

7. The petitioners are in custody for the last about 9 months and the trial is progressing at slow pace and all the offences in the present case are triable by the Magistrate and further custody of the petitioners will serve no meaningful purpose.

8. Without commenting on the merits of the case, the present

subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)  
JUDGE

04.12.2023  
Rajeev (rvs)

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |