

204/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46041-2023

Date of Decision: 19.12.2023

Md. Hidayat Ullah Laskar

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Ankur Malik, Advocate and
Mr. Zenith Dogra, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

Mr. Amit Dhawan, Advocate
for the complainant.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.19 dated 31.03.2021 registered under Sections 66-C, 66-D, of Information and Technology Act, 2000 and Sections 420, 120-B of IPC, 1860, at Police Station Punjab State Cyber Crime, District SAS Nagar, Mohali.

2. The FIR in the present case was registered on the basis of the statement made by Sukhwinder Singh Dhillon and the same has been reproduced below:-

“A complaint UID No. 1949425 dated 01.01.2021 from Lt. Col. Sukhwinder Singh Dhillon R/o #258, Lane No.03, Defence Enclave, Amritsar Mob. 9814828129 was received in PS State Cyber Crime. The contents of the complaint are, No.333/SSD/Grievance 19th December 2020 From Lt. Col. Sukhwinder Singh Dhillon, H.No258, Lane No.3. Defence Enclave

Amritsar to. S. Bhagwant Singh. SHO (Officer Incharge), Cyber Crime Officer, Mohali. Subject:- Request for Assistance to Armed Forces Personnel. Dear Sir. (1) I am laying down the following lines for your kind help and favourable action. (2) I am Lt. Col. Sukhwinder Singh Dhillon (Retired) from Indian Army. I was given Reliance Insurance Policy No.53559729 for which I paid the premium of four lakh (04 Lakh) later on I was contacted by one person named Dr. L.N. Trivedi who promised me to get me recovery of 04 Lakh and took out Twenty Lakh (approximately) from me by doing fraud. The details are given in the letter attached for your ready reference. His all details and phone numbers are given in the letter attached. You are requested to kindly help me to recover this amount. (3) the following documents are attached (i) Details of the case (ii) Photocopy of reliance policy. Yours Sincerely, Sd/- Lt. Col. Sukhwinder Singh Dhillon (Retd.) R/o H.No.258, Lane No.3, Defence Enclave, Amritsar (M) 98148-28129 E-mail sukhidhiJlon75@gmail.com.”

3. Learned counsel for the petitioner submits that the FIR was initially registered against Pintu Kayal, Hasanur Jaman Mistry and the present petitioner. Learned counsel further submits that the petitioner never talked to the complainant nor he was part of any conspiracy hatched by his co-accused. He contends that the petitioner was arrested on 31.07.2023 and is in custody for the last 05 months. As per him, the challan has already been presented against him and the offences are triable by the Court of Magistrate. Thus, the custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel assisted by learned counsel for the complainant have vehemently opposed the prayer made by learned counsel for the petitioner and submit that the petitioner and his co-

accused had cheated the complainant of a huge amount of Rs.58 lacs and does not deserve the concession of bail.

5. I have heard the learned counsel for the parties and perused the record.

6. The petitioner was arrested in the present case on 31.07.2023 and is in custody for the last about 05 months. All the offences are triable by the Court of Magistrate and the conclusion of the trial may take quite a long time.

7. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

19.12.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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