

2023:PHHC:124591

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

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CRM-M-46599-2023

Date of decision : 21.09.2023

Deepak Bansal**..... Petitioner****versus****State of Haryana****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Abhijeet Sharma, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.20 dated 10.03.2022, registered for the offences punishable under Sections 419 and 420 of IPC (Sections 467, 468, 471, 120-B & 201 of IPC and Sections 66(C) and 66(D) of IT Act added later on) at Police Station Cyber Crime, N.I.T., Faridabad.

2. As per the allegations levelled in the FIR, the issue relates to unauthorized transfer of money from the account of the complainant-company. As per the prosecution, the petitioner is stated to be the one who used to provide account details to facilitate such frauds.

3. Counsel for the petitioner submits that challan was presented way back on 10.02.2023. The petitioner is behind bars since November 2022 and has faced incarceration for more than 10 months and 05 days. Petitioner has no criminal antecedents and is first time

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offender. All the co-accused stand admitted to bail by the Courts below. The custody of the petitioner cannot be prolonged as a punitive measure.

4. Counsel for the State on the other hand submits that the co-accused have been admitted to bail only after they admitted to deposit of the amounts that travelled to their account and if the petitioner is ready to abide by the said condition, he may be granted concession of bail. Though, he does not dispute the fact that challan already stands presented and majority of the evidence is in form of documentary evidence.

5. Keeping in view the incarceration suffered by the petitioner and the fact that challan stands presented and more so the petitioner is first time offender, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

21.09.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No