IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(202) **CRM-M-53747-2023**
Date of Decision : November 03, 2023

Manbir Thind **.. Petitioner**

Versus

State of Haryana **.. Respondent**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Dr. Puneet Kaur Sekhon, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present petition has been filed under Section 439 Cr.P.C for the grant of regular bail to the petitioner in respect of FIR No.134 dated 14.02.2023 registered under Sections 66-C & 66-D of the Information Technology Act, 2008, Section 8 (4) of the Haryana Public Examination (Prevention of Unfair Means) Act, 2021 and Sections 120-B, 420 of the IPC (Section 201 of the IPC added later on) at Police Station Samalkha, District Panipat.

2. Learned counsel for the petitioner argues that the investigation is already over and the challan has already been presented and charges have been framed and 21 witnesses have been cited to be examined during the trial and as of now, no witness has been examined hence, as the trial is likely to take some time before it concludes, the petitioner may kindly be extended the benefit of regular bail especially in view of the fact that co-

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accused of the petitioner namely Satyawart, against whom the similar allegations have been alleged, has already been extended the concession of regular bail by the trial Court.

3. Notice of motion.

4. Mr. Harish Nain, learned Assistant Advocate General, Haryana, accepts notice on behalf of the respondent-State.

5. Learned State counsel does not dispute the factual statement as recorded hereinbefore.

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

7. Keeping in view the facts and circumstances of the present case that the investigation is already over and the challan has been presented and the charges have been framed and the allegations against the petitioner are yet to be proved during the trial coupled with the fact that out of the 21 cited witnesses, none has been examined so far and the trial is likely to take some time before it concludes, no useful purpose will be achieved in keeping the petitioner behind the bars during the entire period of trial especially when learned counsel for the petitioner has undertaken before this Court that in case the petitioner is extended the benefit of regular bail, he will maintain good conduct and will not influence the trial or the witnesses in any manner. In case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

8. Further, similarly situated co-accused namely Satyawart has already been extended the concession of regular bail by the trial Court, which fact goes in favour of the petitioner so as to claim the benefit of regular bail.

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9. In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

10. However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

November 03, 2023 **(HARSIMRAN SINGH SETHI)**
harsha **JUDGE**

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

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