

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

CRM-M-60767-2022
Decided on : 09.01.2023

Amit

..... Petitioner

Versus

State of UT, Chandigarh

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Abhinay Goel, Advocate
 for the petitioner.

Mr. Ankur Bali, Addl. PP, UT, Chandigarh.

Manjari Nehru Kaul, J.(Oral)

Present petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.53 dated 10.10.2022 under Sections 419, 420 and 120-B IPC registered at Police Station Cyber Crime, UT, Chandigarh.

While inviting the attention of this Court to the FIR in question (Annexure P-1) learned counsel for the petitioner submits that the petitioner allegedly in collusion with the co-accused duped the complainant supplier by misusing e-purchase portal. Learned counsel submits that the petitioner was merely a delivery boy and as such, he could not have cheated the complainant supplier by replacing the original products with cheaper one and storing the original ones in the shop of co-accused Rohit Dhingra. It has also been submitted that the petitioner was nominated as an accused pursuant to a disclosure statement made by the aforesaid co-accused Rohit Dhingra, who has since been granted bail by this Court vide order dated 15.12.2022. Learned counsel further submits that the petitioner has now been in custody since 14.10.2022 and investigation is complete as challan already stands presented and charges framed. Learned counsel further

submits that the petitioner has clean antecedents and is not involved in any other criminal case.

Per contra learned State counsel while opposing the prayer and submissions made by counsel opposite has not been able to dispute that the petitioner was nominated as an accused on the basis of disclosure statement of main accused Rohit Dhingra from whom alleged recovery of misappropriated products was effected. State counsel has conceded that the petitioner is not involved in any other case of similar nature.

Heard learned counsel for the parties and perused the relevant material on record.

In the facts and circumstances as enumerated hereinabove coupled with the fact that since the investigation is complete and charges stand framed, further incarceration of the petitioner would not serve any useful purpose as the trial will take considerable time to conclude. This Court, therefore, deems it fit to extend the concession of bail to the petitioner. Accordingly, the present petition is allowed. The petitioner be admitted to bail to the satisfaction to the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

09.01.2023
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No