

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

248

2023:PHHC:158291

CRM-M-59939-2023

Date of decision: December 11th, 2023

Manoj

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Hitesh Verma, Advocate
for the petitioner.

Ms. Jasleen Chahal, Assistant Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.4 dated 17.03.2023 under Sections 420, 467, 468, 471, 120-B, 201 of the IPC, registered at Police Station Cyber Crime Hisar.

2. Learned counsel for the petitioner, inter alia, contends that the petitioner has been in custody since 21.08.2023 for allegedly clicking photographs of accused Vinod Kumar for the purpose of issuance of two sim cards of a telecom provider (Vodafone). Learned counsel submits that the prime accused in the case in hand i.e. Sumit Juneja has since been extended the concession of anticipatory bail by this Court. It has also been submitted that charges already stand framed and there is no likelihood of the trial concluding in the near future as 35 prosecution witnesses have been cited and not even a single witness stands examined till date.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has submitted that the

petitioner had conspired with the co-accused and committed the crime in question. It has also been submitted that though the petitioner was not named in the FIR, however, when two of his co-accused were arrested, they suffered a disclosure statement nominating Raj Kamal as co-accused, who in turn named the petitioner as one of the conspirators. Learned State counsel has further informed the Court that the next date fixed before the trial Court is 21.12.2023 when the prosecution evidence is likely to commence.

4. On a pointed query put to the learned State counsel as to whether the petitioner was involved in any other criminal case, she on instructions, has replied in the negative.

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

6. The petitioner has been in custody since 21.08.2023 in a magisterial trial and in the facts and circumstances as enumerated hereinabove, there is no likelihood of the trial concluding in the near future, this Court deems it fit to extend the concession of bail to the petitioner. The instant petition is, therefore, allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned.

7. 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.

December 11th, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No