

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

CRM-M-63057-2023

Date of decision : 20.12.2023

ADITYA SHARMA

....Petitioner

Versus

STATE OF UT CHANDIGARH

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Abhishek Joon, Advocate for the petitioner.

Mr. Manish Bansal, Public Prosecutor, U.T., Chandigarh with
Mr. Ankush Singla, Advocate and IO Gulab Singh.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.78 dated 15.07.2023 registered for the offences punishable under Sections 419, 420, 120-B IPC at Police Station Cyber Crime, UT., Chandigarh.

2. On the oral request made by counsel for the petitioner Section 419 IPC is ordered to be deleted from the head note and prayer clause of the petition.

3. Registry to carry out the necessary corrections.

4. On a query being put to Ld. Public Prosecutor for U.T., Chandigarh, he submits that the IMEI No. of the mobile which was used in the offence was traced and the mobile was recovered from the petitioner. He fairly submits that so far as the money trail is concerned, the same is not yet linked to the petitioner.

5. Counsel for the petitioner further relies upon the order dated 03.11.2023 passed by this Court in CRM-M-54035-2023 whereby co-accused Partik Mangi has been granted regular bail and claims parity. He further submits that investigation already stands concluded and thus the custody of the petitioner cannot be prolonged as a punitive measure.
6. Ld. Public Prosecutor does not dispute that the investigation already stands concluded and challan stands presented.
7. I have heard counsel for the parties and have gone through records of the case.
8. In view of above, without commenting on the merits of the case, keeping in view the incarceration suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.
9. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

December 20, 2023
Dpr

(Pankaj Jain)
Judge

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