



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5098-2024 (O&M)
Date of decision :21.05.2024

Dheeraj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Saleem Ahmed, Advocate for the petitioner.
Mr. Praveen Bhadu, AG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No. 32 dated 03.09.2023, under Sections 120-B, 419, 420, 467, 468, 471 of Indian Penal Code 1860 (for short 'IPC'), registered at Police Station Cyber Crime, Ballabgarh, District Faridabad.

2. Aforesaid FIR has been registered on the basis of statement made by *de facto* complainant-Omender Kumar Sharma with the allegations that petitioner alongwith co-accused fraudulently robbed him of his hard earned money amounting to Rs. 90,500/-.

3. Learned counsel for the petitioner contends that petitioner was granted interim bail by this Court on 06.03.2024 and in pursuance thereof, he is regularly appearing before learned trial Court. Further submits that there is no allegation that petitioner is likely to misuse the concession or hamper the proceedings in any manner.

4. Learned State Counsel, on instructions from quarter concerned, has acknowledged the above factual position and submits that petitioner is regularly appearing before learned trial Court. He also acknowledged that petitioner has not misused the concession of interim bail granted by this Court on 06.03.2024



and there is no apprehension that he is likely to misuse the concession in any manner.

5. Heard learned counsel for both the sides and perused the paper book.

6. This Court, granted interim bail to the petitioner on 06.03.2024, in the following manner:-

“ Contends that petitioner is in custody since 04.09.2023; after investigation, report under Section 173 Cr.P.C. was submitted on 28.11.2023 and charges were framed on 28.12.2023. Also submits that out of 17 PWs, only 01 has been examined and the matter has been amicably settled between the parties i.e. petitioner and complainant.

Learned State counsel seeks time to verify the above factual position.

Posted for 21.05.2024.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

7. Learned State counsel has duly acknowledged that after passing of the aforesaid order, petitioner is regularly appearing before learned trial Court and there is no allegation that in case, interim bail is made absolute, he is likely to misuse the concession or hamper the proceedings in any manner. In such a scenario, sending the petitioner to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 06.03.2024, is made absolute. He shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned



trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date of hearing and to fully co-operate with learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case there is any misuse of concession by the petitioner, State would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

21.05.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No