

CRM-M-11995-2024
CRM-M-11800-2024

2024:PHHC:035803
2024:PHHC:035817

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision: 13.03.2024

227 CRM-M-11995-2024

SAKTAR ANSARI ALIAS SATTAR ANSARIPetitioner

Versus

UNION TERRITORY, CHANDIGARH ...Respondents

299 CRM-M-11800-2024

RAHMAT ANSARIPetitioner

Versus

UNION TERRITORY, CHANDIGARH ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Vishal Raj, Advocate
for the petitioner (in both the cases) (through V.C.).

Mr. Manish Bansal, PP, U.T., Chandigarh (in both the cases).

PANKAJ JAIN, J. (ORAL)

The afore-captioned two petitions have been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case F.I.R. No.0064/2023 dated 08.06.2023 registered for the offences punishable under Sections 419, 420 and 120-B of the Indian Penal Code, 1860 at Police Station Cyber Crime Sector 17, Chandigarh.

2. As per the contents of the FIR it was alleged as under:

“xxx I am to say that on 27.04.2023 I searched contact number of Simple Pay app customer care for refund of my amount. They told

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me to download desk top app and after that they sent me the link which I clicked. They hacked my phone and my accounts. First they told me to put your phone number from which they withdrawn amount 84271/- and after that 15009/- and 25000/- and I was unable to open my Google app and yono and when I came to know about fraud. I rushed to my nearby SBI Bank and hold all my accounts, ATM even internet banking. I did not share my account number nor any OTP. After that I contacted cyber cell within half an hour on the same day I contacted my SBI Kurali Branch and fulfill paper works but now bank employees are demanding FIR only. Then they will consider my case and help me to get compensation if possible. Yours sincerely Sd/- Paramjit Kaur, resident of 3423, Sector38D, Chandigarh 84271 03123, dated 22.05.2023”

3. The case of the prosecution is that the mobile sim is stated to have been recovered from the petitioners who are stated to be involved in similar crime in Deoghar, Jharkhand as well.
4. Counsel for the petitioners submits that the investigation is complete and challan stands presented and thus the custody of the petitioners should not be allowed to be prolonged as a punitive measure.
5. Ld. Public Prosecutor does not dispute the fact that the investigation is complete and challan stands presented.
6. I have heard counsel for the parties and have gone through records of the case.
7. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioners and the fact that its a magisterial trial where whole of the evidence is in the form of digital

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documents, the present petitions are allowed. The petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.
9. A copy of this order be kept on the file of other connected case.

March 13, 2024		(Pankaj Jain)
Dpr		Judge
	Whether speaking/reasoned	: Yes/No
	Whether reportable	: Yes/No