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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16298-2024
Date of decision: 26.04.2024

Rajat Kapoor ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naresh Jain, Advocate for the petitioner.

Mr. Kuljit Singh, Addl. A.G. Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of regular bail in case having FIR No.9 dated 10.01.2024 registered under Sections 420, 120-B of IPC at Police Station Sohana, District SAS Nagar.
2. The allegations in nutshell are that accused persons including petitioner were running a fake call center and they were duping innocent persons. During investigation, petitioner was arrested and is in custody for the last more than 3 months and is having no criminal history.
3. The counsel for the petitioner submits that petitioner is falsely implicated in the present case. It is further submitted that petitioner was just an employee of the company. It is further submitted that after completion investigation, police has presented the challan but it will take time for the trial to conclude. It is further submitted that co-accused Sunita, wife of the person who was running the main business, is already granted regular bail by co-

ordinate Bench of this Court vide order dated 18.04.2024 in CRM-M-10051-2024. The copy of the said order is taken on record.

4. The present petition is opposed by the State counsel who submits that the case is at its initial stage as charges are still to be framed. The State counsel further submits that no ground is made out to grant bail to the petitioner at this stage when trial is yet to commence. However, the State counsel has not disputed the fact that the concerned firm was run by husband of Sunita who is already granted regular bail vide order dated 18.04.2024.

5. I have considered the submissions made by counsel for the parties.

6. The offences are triable by the Court of Judicial Magistrate Ist Class. Investigation has already been concluded and trial will commence after framing of charges and it will take time for the trial to terminate. Co-accused Sunita is already granted regular bail vide order dated 18.04.2024. Thus, there is no justification to prolong the judicial custody of the petitioner who is already incarcerated for last more than 3 months and is having no criminal antecedents.

7. Accordingly, without expressing any opinion on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing of bail bonds and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

26.04.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No