

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225

CRM-M-18500-2024

Date of decision: 23.04.2024

Shubham Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Ms. Dhivya Jerath, Advocate
for the petitioner.

Mr. A.K. Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (ORAL)

1. 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.41 dated 09.02.2024 registered for the offences punishable under Sections 420, 467, 468, 471 and 34 of the Indian Penal Code, 1860 at Police Station Sarai Khawaja, District Faridabad (Haryana).

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

“xxx I, Amita Raghav, daughter of Vedan Singh Raghav, residing in Village Lohgadh, Aligarh, Uttar Pradesh, currently living in Sector 45, 354. For some time, I have been running GLARE SPA near Reliance Mart, Sector 37, Faridabad. In the month of December 2023, we received a letter at our spa through post office, which had the seal of the Government of India and was marked with S.NO 25483 dated 11.12.23, and it was mentioned "GOVERNMENT OF INDIA, E. COSMETOLOGY

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DEPARTMENT OF INDIA. It was written that all employees working in the spa should get their Aromatherapists' certificates made. Otherwise, the center would be closed after 2 months. In this regard, we asked all our employees to get the certificates. Krishna Haldar, who works in my spa, told me that he has also heard about this. And a person named Shubham Kumar is making such certificates. So, out of fear of my spa closing down, I quickly instructed Krishna Haldar to arrange for the employees' certificates. Krishna contacted Shubham at Haldar his number 8383957923. Shubham informed him that he, along with his colleague Divansh, is making certificates for everyone. For this, Rs. 3000/-, Aadhaar card, and a photo are required. There is no need to go anywhere or undergo any training. Shubham also mentioned that he is a social media journalist and as such Shubham is well-informed about all these matters which is why Krishna Haldar initially gave Shubham Rs. 500 along with a photo and Aadhaar card. Krishna Haldar informed me that he has already given Shubham, the person mentioned, Rs. 2500 so far. Shubham asked for a remaining Rs. 500 and mentioned to provide the certificate at Sapna Chowk on date 9/2/24. And Shubham is on his way. In the meantime, I inquired with some other people and found out that the person named Shubham, along with his associates, has been making fake certificates through fraudulent means and collecting money. Today, Shubham, who is coming to deliver the aforementioned certificate, can be identified, and I can apprehend him. I have also submitted a letter from the Government of India to initiate legal action against him xxx”

3. The allegation against the petitioner and the other accused(s) is that they used to coerce the Spa-Centre Owners to get certificates for their employees working with them with an intent to cause them unlawful loss.

The petitioner is behind bars for more than 02 months and 14 days and has no criminal antecedents.

4. State Counsel admits that the challan stands presented and the evidence is in the shape of document.
5. I have heard counsel for the parties and have gone through records of the case.
6. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, 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.
7. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

23.04.2024
Dinesh

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No