



CRM-M-32772-2024

-1-

**217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-32772-2024**

Date of Decision: 31.07.2024

Deep Roy

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Amandeep Saini, Advocate, for the petitioner.

Mr.J.S. Arora, DAG, Punjab.

Mr. A.P. Kaushal, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.147 dated 09.05.2023, registered under Sections 420 and 120-B IPC (offence under Section 379 and 201 IPC and Section 66 D of IT Act added lateron), at Police Station City Kharar, District SAS Nagar.

2. Succinctly, facts of the case are that the FIR was lodged on the statement of complainant Tina Verma. It was alleged that the complainant was to receive HDFC Credit Card from Blue Dart and therefore, she called on the number given to her. The Whatsapp messages were also received. However, the petitioner found that an amount of Rs.6,01,996/- from her Bank of India account, Rs.99,999/- from State Bank of India accounts and Rs.20,000/-, Rs.45,000/- and Rs.3,000/- from another Bank account of State Bank of India, thus, a total amount of Rs.7,69,995/- were debited from her accounts. She alleged that she never shared any OTP or any bank detail with anybody and thus, was defrauded. A request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, namely,



Deep Roy and two other accused was revealed and thus, the petitioner was arrested on 09.03.2024. He approached the Court of learned Additional Sessions Judge, SAS Nagar praying for grant of regular bail, however, after hearing both the sides, the Court declined the same vide order dated 25.04.2024. Hence, the petitioner has approached this Court by way of the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently submitted that the petitioner has been falsely implicated in this case. He has submitted that the petitioner has no criminal antecedents. He has submitted that the co-accused, namely, Sajal Das has been granted regular bail by this Court vide order dated 04.07.2024 and the case of the petitioner is at par with him. He further submits that the petitioner has already resolved the dispute with the complainant. He submits that even otherwise the investigation is complete and challan is presented. He has submitted that in view of the overall facts and circumstances, the incarceration of the petitioner is totally unwarranted.

4. Learned counsel for the complainant has submitted that though Rs.4,00,000/- has been transferred in the account of the petitioner, however, he affirms the factum regarding the compromise arrived at and he has stated that he has no objection, if the petitioner is enlarged on bail.

5. Per contra, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that complicity of the petitioner has been established during the investigation. However, he acknowledges that co-accused Sajal Das has been granted bail by this Court. He submits that investigation is complete, challan is presented, however, charges are not framed. On instructions, he submits that the petitioner has no criminal antecedents.



CRM-M-32772-2024

-3-

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioner was arrested on 09.03.2024, however, learned counsel for the petitioner has submitted that the dispute between the petitioner and the complainant has already been amicably resolved, which has been affirmed by learned counsel for the complainant. The investigation, as submitted before this Court, already stands completed. There is nothing on record to show that the petitioner is involved in any other case and thus, has any criminal antecedent.

8. This Court would refrain itself from commenting anything on the merits of the case. However, considering the prayer for grant of bail to the petitioner, this Court is of the view that learned counsel for the petitioner has been able to make out a case for grant of regular bail to the petitioner. Considering that the trial would take sufficient long time in its conclusion, the present petition is allowed and the petitioner is ordered to be released on bail to the satisfaction of the concerned trial Court/Duty Magistrate.

9. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

31.07.2024
sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No