

2024:PHHC:166377



212 (1st case)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.35589 of 2024 (O&M)
Date of Decision: 12.12.2024**

Hamid Mohd. Mansoori

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

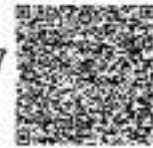
Present:- Ms. Priyanka Deo, Advocate (through V.C.) and
Mr. Amit Kumar, Advocate for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana
for the respondent assisted by I.O./ASI Pardeep.

MAHABIR SINGH SINDHU, J.

Second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail pending trial to the petitioner in FIR No.69 dated 29.12.2023 (P-1), under Sections 420 & 120-B of the Indian Penal Code, 1860 (*for short 'IPC'*); Section 66D of the Information Technology Act, 2000, registered at Police Station Cyber Crime, N.I.T., District Faridabad.

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(2) Allegations are that petitioner along with his co-accused cheated the complainant and defrauded an amount of Rs.33,42,250/- on the pretext of part-time job for liking YouTube Videos.

(3) Contends that petitioner is in custody since 15.02.2024; he has not been named in the FIR; rather has been falsely implicated during investigation in the present case by showing false recovery of Rs.25,000/- from him. Also contends that petitioner, who is working as Motor Mechanic, has not committed any offence.

(4) *Per contra*, learned State Counsel, on instructions from I.O./ASI Pardeep, opposed the prayer while submitting that petitioner was part of well organized racket, which is involved in duping innocent people by getting their hard-earned money transferred in their bank account(s).

(5) Heard learned Counsel for the parties and perused the paper-book.

(6) The petitioner was granted interim bail by this Court on 25.09.2024 and the matter has been adjourned from time to time on request of the parties; therefore, interim bail is continuously extended.

(7) Although, petitioner is stated to be in custody since 15.02.2024; but perusal of para 6 & 11 of the affidavit reveals that apart from Rs.25,000/-, the mobile phone and SIM Card used in the present fraud were also found to be recovered from the petitioner.

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(8) In view of the above, complicity of the petitioner is, *prima facie*, apparent. Thus, no ground is made out to grant him the concession of bail pending trial “at this stage”.

(9) Accordingly, the present petition is dismissed.

(10) Needless to say that interim order dated 25.09.2024, extended from time to time, shall come to an end, automatically.

(11) The above observations may not be construed as an expression of opinion on merits of the present case in any manner.

Pending application(s), if any, shall also stand disposed off.

12th December, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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