



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35825-2024
Date of Decision:01.08.2024

Jahirul Islam ...Petitioner

vs.

State of Punjab and Anr. ...Respondents

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Inderpreet Singh Kooner, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of B.N.S.S with a prayer to grant regular bail to him in case FIR No. 29 dated 13.10.2023, registered under Section 420 and 120-B of IPC, Police Station State Cyber Crime, Police Station SAS Nagar, District SAS Nagar, Mohali (Annexure P-1).
2. Learned counsel for the petitioner submits that the FIR in the present case was registered against unknown persons and the petitioner has been arrayed as an accused only on the strength of disclosure statements suffered by the co-accused. He further contends that even during the course of investigation, no incriminating evidence could be collected by the police against him and he had no concern with the alleged crime. He further contends that in the present case no recovery has been effected from the petitioner and has been wrongly challaned by the police. Learned counsel next contends that the

petitioner was arrested in the present case on 02.02.2024 and all the offences are triable by the Court of Magistrate. Thus, no purpose would be served by keeping the petitioner behind the bars.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner, however, learned State counsel admits that no witness has been examined so far and the charges are yet to be framed against him.

4. I have heard the learned counsel for the parties and perused the record carefully.

5. The petitioner was arrested in the present case on 02.02.2024 and is in custody for the last more than 06 months. Moreover, the offences are triable by the Court of Magistrate. Similarly placed co-accused Rafiul Islam has already been granted the concession of bail by the Court of Additional Sessions Judge, SAS Nagar, Mohali (Annexure P-5).

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate.

01.08.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No