

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.**CRM-M-44407-2023 (O&M)****Date of Decision: 23.1.2024**

Bilal

....Petitioner**VERSUS**

State of Haryana

....Respondent**CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Sarfaraj Anjum Mor, Advocate
for the petitioner.

Mr. Neeraj Sheoran, DAG, Haryana

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.403 dated 20.8.2022 registered for the offences punishable under Sections 419, 420, 120-B IPC (Sections 467, 468, 471 IPC added later on) at Police Station Hodal, Palwal.

2. The allegations in nutshell are that on 20.8.2022, the police received secret information with regard to cyber crime being committed in the area of Mewat, Rajasthan, U.P. and other States and that SIM cards being used in such like crime are managed by the petitioner and his friends who received the same through courier from U.P. by providing fake address of Arun Dhaba near Uzina drain and then they supplied the same in the entire areas of Mewat. On the basis of the secret information, the police raided the disclosed place and apprehended the petitioner and recovered 142 SIM cards of JIO and Vodafone from him. On the basis of the disclosure

statement made by the petitioner, some other persons were arrested and recoveries were also effected from them by the police.

3. Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and is in custody since 20.8.2022 and is having no criminal history and that the offences are triable by the Court of Judicial Magistrate and the alleged recoveries are already effected and it will take time for the trial to conclude. So, prayer is made that the petitioner be released on bail.

4. Status report by way of affidavit of Sajjan Singh, DSP, Palwal, District Palwal filed on behalf of the State is ordered to be taken on record. State counsel, while resisting the present petition, submits that the petitioner is the main accused involved in the cyber crime and he was apprehended at the spot along with 142 SIM cards. It is further submitted that the trial is going on and the prosecution has examined number of witnesses. However, the State counsel has not disputed the fact that the offences are triable by the Court of Judicial Magistrate, 1st Class and that the petitioner is having no criminal antecedents.

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

6. In the present case, recoveries are already effected and the petitioner is in custody for the last more than 1 year and 5 months and all the offences are triable by the Court of Judicial Magistrate, 1st Class and it will take considerable time for the trial to terminate. Admittedly, the petitioner is not involved in any other criminal case. In the given circumstances, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

7. In view of the above, without commenting 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 bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

January 23, 2024
Paritosh Kumar

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