

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

250

**2024:PHHC:016381
CRM-M-53013-2023
Date of decision: February 06, 2024**

TAJINDER KUMAR @ SONU
...Petitioner

Versus

STATE OF HARYANA
...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Taranjit Kaur Hundal, Advocate
for the petitioner.

Ms. Jasleen Chahal, Assistant Advocate General, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.15 dated 17.06.2023 (Annexure P-1) under Sections 120-B, 386, 419, 420, 467, 468, 471 of the Indian Penal Code, 1860, registered at Police Station Cyber Crime, District Sonipat.
2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the instant case for having allegedly defrauded the complainant of an amount of approximately Rs.21 lakhs. Learned counsel submits that the petitioner came to be nominated as an accused on the basis of a disclosure statement of co-accused Davinder, who stated that a bank account had been opened by the petitioner on his behalf, wherein an amount of Rs.25,000/- was then deposited, out of which, Rs.5,000/- had been given to the petitioner as his commission.
3. Learned counsel has further submitted that the petitioner has now been in custody since 21.07.2023 and not only is investigation in the case in

hand complete, but even charges were framed on 25.01.2024, however, none of the nine prosecution witnesses had been examined so far. Hence, there was no likelihood of the trial concluding in the near future.

4. Learned State counsel has filed the custody certificate of the petitioner, which is taken on record subject to just exceptions. A copy thereof has been supplied to the learned counsel for the petitioner. While opposing the prayer and submissions made by the learned counsel for the petitioner, on instructions, has not been able to dispute the factual aspect of the role attributed to the petitioner and also the status of the trial, however, she submits that the petitioner is involved in one other case of similar nature, which however was registered on 26.11.2023.

5. I have heard learned counsel for the parties and perused the relevant material placed on record.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of regular bail to the petitioner as the trial would take considerable time to conclude. The petition as such is allowed; the petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add here, in case the petitioner is found misusing the concession of bail, the State would be at liberty to approach this Court to seek cancellation of bail to him.

February 06, 2024
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No