

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-62572-2023 (O&M)
Date of Decision: 19.3.2024

Lalit

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Deepanshu Matya, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana

KARAMJIT SINGH, J.

CRM-53223-2023

Allowed as prayed for and documents Annexures P-5 and P-6
are taken on record subject to all just exceptions.

Main case

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.464 dated 3.7.2023 registered for the offences punishable under Sections 419, 420, 467, 468, 471, 120-B IPC at Police Station City Palwal, District Palwal.

2. As per allegations in the FIR, on 3.7.2023, police received information that the accused persons including the petitioner were luring general public to get instant loan and are also running fake call centre. Then the disclosed premises were raided and petitioner Lalit, Ajit and Bhawna were arrested at the spot and the police recovered 5 smart phones, 3 keypad

phones and 4 passbooks, 3 cheque books and laptop which were used by the accused to run a fake call centre.

3. Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and is in custody for the last more than 8 months and that it will take time for the trial to conclude; that co-accused Bhawna and Ajit are enlarged on bail by the Court of learned Sessions Judge, Palwal vide orders Annexures P-2 and P-3. So, prayer is made that the petitioner be released on regular bail.

4. Present petition is resisted by the State counsel who submits that the petitioner is main mastermind behind running a fake call centre and is in custody since 3.7.2023. State counsel further submits that equipment used by the petitioner for the purpose of running a fake call centre were recovered from the spot; that during investigation, it was found that the petitioner was also having a fake bank account in the name of one Yogender. However, the State counsel has not disputed the fact that co-accused were enlarged on bail vide orders Annexure P-2 and P-3.

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

6. All the offences are triable by the Court of Judicial Magistrate, 1st Class and the petitioner is in custody for the last more than 8 months and it will take time for the trial to conclude. No doubt, the petitioner is also involved in some other criminal cases but is on bail in those cases as has been submitted by the counsel for the petitioner. After completion of investigation, challan has been presented but the case is at its initial stage as till date, no prosecution witness is examined. 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

March 19, 2024
Paritosh Kumar

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