

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-64813-2023 (O&M)

Pahal Singh
Vs.
State of Haryana

.....Petitioner
.....Respondent

CRM-M-63580-2023 (O&M)

Kaptan
Vs.
State of Haryana

.....Petitioner
.....Respondent

Date of Decision.:04.04.2024

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Nishant Chauhan, Advocate for the
petitioner in CRM-M-64813-2023 (O&M).

Mr. Abhimanyu Kalsy, Advocate for
Mr. Siddhartha Yadav, Advocate for the
petitioner in CRM-M-63580-2023 (O&M).

Mr. P.K. Jhanda, DAG, Haryana.

DEEPAK GUPTA, J. (ORAL)

In the two petitions tilted above filed under Section 439 Cr.P.C.,
petitioners prayed for their release in case FIR No.011 dated 27.05.2023
registered under Sections 406, 420, 467, 468, 471, 201, 120-B of the IPC
registered at Police Station Panipat, District Panipat.

2. FIR was lodged on the complaint of Anand son of Nathi Ram,

as per which he was a nominee of an ICICI policy after the death of his brother Parveen. The said policy was got issued through Kaptan (*petitioner in CRM-M-63580-2023*). Complainant approached the petitioners. It is alleged that Kaptan opened an account without any information in the complainant's name in the Yes Bank and the amount of the policy was transferred in that account, after obtaining OTPs from the complainant.

3. Learned counsel contends that amount of ₹17,35,328/- besides ₹44,500/- had been freezed by the bank on the instructions of Police Station Cyber Crime, Panipat and the said amount has already been transferred back in the account of the complainant.

4. Learned counsel also submits that petitioners are in custody for the last more than 08 months; that they are not involved in any other case; that case is triable by Magistrate and so, they be allowed bail.

5. Learned State counsel concedes the fact that the amount as freezed by the police during investigation, has already been transferred back in the account of the complainant, which is even otherwise evident from the order dated 08.09.2023 of learned Judicial Magistrate 1st Class, Panipat, copy of which is Annexure P-4.

6. Both the petitioners are in custody for the last 08 months and 03 days, as per the custody certificate placed on record. None of them have any other criminal case pending against them. All the offences in question are triable by Magistrate. Trial may take time to conclude.

CRM-M-64813-2023 (O&M)
CRM-M-63580-2023 (O&M)

2024:PHHC:045559
2024:PHHC:045560

7. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, both the petitions are allowed and petitioners are admitted to bail on their furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

A photocopy of this order be placed on the connected case file.

(DEEPAK GUPTA)
JUDGE

April 04, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No