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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62796-2024
Date of Decision:19.12.2024

ABHISHEK ...PETITIONER

VS.

STATE OF PUNJAB ...RESPONDENT

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

Present : Mr. A.S. Grewal, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of Bhartiya Nagarik Suraksha Sanhita, with a prayer to grant regular bail to him in case FIR No.86 dated 24.10.2024, registered under Sections 111, 318 (4) of BNS, Police Station Cantt. District Bathinda (Annexure P-1).
2. The FIR in the present case was registered on the basis of a secret information and the same has been reproduced below:-

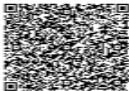
“Case has been registered on the basis of secret information. When Police party was present in connection with patrolling and checking of suspected persons and vehicles near Adesh Hospital, Bhucho Khurd Bathinda, then ASI Sukhmander Singh received a secret information that Abhishek son of Parhlad Rai resident of Raipura, District Fazilka, Ugarsain Budania son of Madan Lal Budania and Arun son of Bhim Sain resident of Nathwana, District Hanumangarh (Rajasthan) had made a gang and they use to



commit cheating with the people. The members of these gang use to commit cheating with the people by receiving money online. They use to transfer the money in Malls, Petrol Pumps and other Shops through UPI and receive cash in consideration of the same. After that the money which was paid through UPI ID will be blocked after making report in the Bank. The members of this gang in this manner use to cheat the innocent people by alluring them. The member of this gang also committed cheating with Bharat Petroleum Petrol Pump at Bhucho Khurd some time ago. Today, the aforesaid persons are also wandering the area of Bhucho in their car with the intention to cheat. If the raid will be conducted, then they can be apprehended. Information is reliable and FIR was registered against the aforesaid persons. Ruqa was sent through C Sarabjit Singh.”

3. Learned counsel for the petitioner contends that in the present case, no incriminating evidence has been found against the petitioner even during the course of investigation. The petitioner was arrested in the present case on 24.10.2024 and after his arrest, the final report under Section 173 Cr.P.C. has been presented before the competent Court. Learned counsel further contends that it has been falsely alleged that the petitioner had cheated the complainant to the tune to Rs.30,000/- and the said amount has already been recovered from him. The petitioner is aged about 21 years and is a student. Thus, the case deserves sympathetically consideration by this Court.

4. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. He submits that there is no other case against the petitioner.



5. I have heard the learned counsel for the parties and perused the record.
6. In the present case, the petitioner is in custody for almost 2 months and the recovery has already been effected from him. Even challan has been presented against the petitioner and there are no chances of early conclusion of the trial and the petitioner deserves to be enlarged on regular bail.
7. Without discussing any further on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

19.12.2024
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(N.S. SHEKHAWAT)
JUDGE

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