

2025.PHHC.021599



243.

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

CRM-M-2011-2025

Date of decision: 14.02.2025

Kamlesh @ Karan

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sanjeev Majra, Advocate, and
Mr. Sudhir Kr. Pandey, Advocate, for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in this petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner in FIR No.73, dated 20.11.2023, under Sections 420, 120-B of IPC, registered at Police Station Cyber Crime Karnal, District Karnal.

Learned counsel for the petitioner has contended that in a magisterial trial, the petitioner has now been in custody since 22.05.2024; challan stands presented and even charges stand framed, however, none of the 11 prosecution witnesses have been examined so far. Learned counsel has also submitted that the petitioner came to be nominated as an accused on the disclosure statement of the co-accused Kareena Kaur Punia, who has since been extended the concession of bail.

Learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions, has not disputed the custody period of the petitioner nor has it been disputed that after the challan was presented against the petitioner, charges have been framed. It has also not been disputed, on instructions, that the petitioner came to be nominated as an accused pursuant to a disclosure statement allegedly suffered by co-accused Kareena Kaur Punia, who has since been enlarged on bail.

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

In a magisterial trial, the petitioner has been in custody since 22.05.2024. The entire case of the prosecution rests on documentary evidence, hence, there can be no apprehension of the petitioner tampering with evidence in case he is enlarged on bail. Identically placed all co-accused have already been extended the concession of bail.

In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. 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.

Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

February 14, 2025
sanjeev

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