



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

286

CRM-M-8070-2025 (O&M)
Date of Decision:-22.05.2025

RIYAZ KHAN PATHAN

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Rajiv Kumar Saini, Advocate for the petitioner.

Mr. Amrik Narwal, DAG Haryana

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in the following case :-

FIR No.	Dated	Sections	Police Station
59	03.11.2023	419, 420, 120-B IPC	Cyber Crime, Karnal, Haryana

2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that the petitioner has no concern whatsoever with the allegations levelled in the FIR. He further contends that the account of the petitioner was misused by co-accused Ashok Kumar for some transactions and the petitioner allegedly received ₹25,000/- for the same, out of which ₹9,500/-



has already been recovered from the petitioner after his arrest. He submits that the petitioner has no role to play in the alleged fraud, and after the completion of investigation, challan has been presented in Court. Thus prays for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has opposed the petition on the ground that the petitioner had sold his account to one co-accused Ashok Kumar for ₹15,000, which was used in the commission of crime, hence, prayed for dismissal of the petition.

4. Heard learned counsel for the parties and perused the record.

5. After considering the rival contentions and perusing the record, it is observed that the role attributed to the petitioner in present case is that his account was misused by co-accused Ashok Kumar and as per the allegation ₹25,000/- was received by the petitioner, out of which ₹9500/- has already been recovered from the petitioner. After the completion of investigation, challan has been presented in Court and the criminal liability, if any, of the petitioner, could only be determined after the conclusion of trial by the Court of Magistrate, which may take sufficient long time. In the circumstances, no purpose would be served by detaining the petitioner any longer.

6. Consequently, without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Judge on Duty/Duty Magistrate concerned, if not



required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

8. Pending miscellaneous application(s), if any, stands disposed of.

(SANJIV BERRY)
JUDGE

22.05.2025
S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No