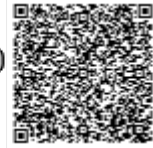


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:149650



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CRM-M-31925-2025 (O&M)
Date of decision:29.10.2025

Satyawan

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nikhil Mittal, Advocate for the petitioner.

Ms. Himani Arora, DAG, Haryana.

...

Manisha Batra, J. (Oral).

1. The present second petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case bearing FIR No.21 dated 30.01.2021, registered under Sections 379-A and 420 IPC (offence under Sections 66(C) and 66(D) of the Information Technology Act, 2000 were added lateron), at Police Station Ganaur, District Sonipat. His previous petition bearing CRM-M-14882-2025 had been dismissed as withdrawn vide order dated 29.04.2025.

2. The aforementioned FIR was registered on 30.01.2021, on the basis of complaint submitted by complainant – Mithun alleging that he was employed as a driver of a pickup vehicle owned by one Jaiveer Singh. The owner of the vehicle, namely, Jaiveer Singh had handed over his Axis Bank

ATM card along with his confidential code to him and directed him to withdraw an amount of Rs.15,000/-. On the same day, at about 4:00 p.m., when he went to withdraw the money from the ATM machine, the machine malfunctioned and one unknown person, who was present there, misled the complainant to re-enter the confidential code and during the processing, he forcibly removed the ATM card from the machine and then swiped the Card in a blue-coloured electronic device emitting red and green lights, apparently used for cloning ATM card and thereafter, fled from the spot along with the ATM Card and confidential code.

3. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 31.01.2025. He was interrogated and suffered disclosure statement in pursuance to which one samsung mobile phone and 18 swipe machines were recovered at his instance and was taken into custody by the police. After completion of investigation, challan was presented. During the course of trial, the petitioner absented himself on 10.02.2023. His bail was cancelled and bonds were forfeited to the State. Proceedings under Section 82 of the Cr.P.C. were initiated against him and he was declared as proclaimed offender. He was arrested again on 01.03.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The trial will take considerable time to conclude. He is in custody since long. His further incarceration would not serve any useful purpose. It is, therefore, urged that he deserves to be released on bail.

5. Per contra, learned State counsel has argued that there are

serious and grave allegations against the petitioner. He was declared as a proclaimed person and there are chances of his absconding, if extended benefit of bail. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard rival submissions made by learned counsel for the parties at considerable length.

7. Petitioner is in custody since long. The trial will take considerable time to conclude as only 06 witnesses have been examined so far. In these peculiar circumstances, this Court is of the considered opinion that the petitioner deserves to be released on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the trial Court/Duty Magistrate concerned and on the following conditions:-

(i) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case in any manner whatsoever.

(ii) he shall not leave the country under any circumstance without permission of the learned trial Court.

(iii) he shall appear before the learned trial Court as and when directed.

(iv) he shall provide his address where he would be residing after release and shall not change the same without informing the concerned IO/SHO.

(v) the petitioner shall upon his release give his mobile phone number to concerned IO/SHO and shall keep his mobile phone switched on all times.

8. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

9. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

29.10.2025

harjeet

**(MANISHA BATRA)
JUDGE**

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