

CRM-M-43199-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(218 + 241)

Date of decision: 13.08.2025

(1) CRM-M-43199-2025 (O & M)

Yogesh Kumar

.... Petitioner

V/s

State of Haryana

...Respondent

(2) CRM-M-42833-2025 (O & M)

Amit Kumar

.... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rakesh Kumar Lathwal, Advocate,
for the petitioners in both the petitions.

Mr. Vipul Sherwal, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

This order shall dispose of two criminal miscellaneous petitions
i.e. CRM-M-43199-2025 and CRM-M-42833-2025 as they arise out of the
same FIR.

2. The petitioners, namely, Yogesh Kumar (in CRM-M-43199-
2025) and Amit Kumar (in CRM-M-42833-2025) seek the grant of regular
bail under Section 483 of BNSS in case bearing FIR No.318(4) of BNS,
2023 and Section 66-D of Information Technology Act, 2000 and Sections

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35, 36 of the Haryana Parivar Pehchan Act, 2021 (Sections 316(5), 238(C), 61 of BNS, 2023 and Section 65 of Information Technology Act, 2000 and Sections 7, 13(1) (a), 13(1) (b) of the Prevention of Corruption Act, 1988 added later on) registered at Police Station Cyber Crime Jhajjar, District Jhajjar (Haryana).

3. For the sake of convenience, the facts are being taken from the petition bearing No. CRM-M-43199-2025.

4. The brief facts of the prosecution case are that the complainant, namely, Yogesh Kumar, who is now the accused in the case, was the Information Manager, District Civil Resources Department, Jhajjar. It was informed by him to the police that for change in family ID due to divorce, the applicant was required to apply on the portal and upon receipt of any such application, verification about the requisite documents is conducted and thereafter, the application is either accepted or the same is rejected. On dated 03.11.2024, while working in the login, he came to know that by hacking the related portal and misusing in an illegal manner that portal by unknown persons, the application for change of family ID have wrongly been accepted by issuing new family IDs. After checking on the portal, applications about 12 in number relating to change in Family Identity Cards, were found on the portal. Information in this regard was given to Additional Deputy Commissioner, Jhajjar and CRID Headquarter through E-mail on 04.11.2024. Thereafter, on dated 08.11.2024, Additional Deputy Commissioner, Jhajjar directed SHO, Cyber Crime, Jhajjar to register an

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FIR. On registration of FIR, it was revealed that the petitioner-accused were indulging in making illegal, unlawful and unwarranted changes in the family IDs and without discharging their duties of verification of the requisite documents. Finding the complicity of the accused Yogesh and Geeta, they were arrested in the case, which initially was registered for offences under Section 416(5), 318(4), 61 of BNS & 66 of IT Act as well Section 35 & 36 of HPP Act. During investigation, the offences under Section 7, 13(1)(a) & 13(1)(b) of Prevention of Corruption Act, were found to be attracted and were added accordingly.

5. The learned counsel for the petitioners contends that the petitioners were engaged by the Citizen Resources Information Department (CRID), Haryana and were posted at the District Citizens Resources Department, Jhajjar purely on ad hoc/contractual basis for the period w.e.f. 01.06.2024 to 31.05.2025. The actual official duties and operation responsibilities of the petitioners were confined strictly to the role of the Data Entry Operators. The co-accused of the petitioners, namely, Vikas, Sikander and Geeta Rani have been granted the concession of bail vide orders dated 23.07.2025 and 05.08.2025 respectively. As the petitioners are in custody since 29.11.2024 but none of the 29 prosecution witnesses have been examined so far, the Trial of the present cases is not likely to be concluded anytime soon and therefore, they are entitled to the concession of bail.

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6. The learned counsel for the State, on the other hand, contends that the investigation has revealed the complicity of the petitioners and their co-accused. Therefore, they are not entitled to the concession of bail. He, however, concedes that the petitioners are in custody since 29.11.2024 but none of the 29 prosecution witnesses have been examined so far and that three co-accused have been granted the concession of bail.

7. I have heard the learned counsel for the parties.

8. The veracity of the prosecution case against the petitioners and their co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioners are in custody since 29.11.2024 but none of the 29 prosecution witnesses has been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioners is not required, moreso, when three co-accused have been granted the similar relief.

9. Thus, without commenting on the merits of the case, the present petitions are allowed and the petitioners, namely, Yogesh Kumar (in CRM-M-43199-2025) and Amit Kumar (in CRM-M-42833-2025) are ordered to be released on bail subject to their furnishing bail bonds and surety bonds each to the satisfaction of learned CJM/Duty Magistrate, concerned.

10. In addition, the petitioners (or anyone on their behalf) shall prepare an FDR in the sum of Rs.50,000/- each and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioners from trial without sufficient cause.

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- 11. These petitions stand disposed of.
- 12. The pending application(s), if any, shall stand disposed of accordingly.
- 13. A copy of this order be placed on the files of the connected petition bearing No. CRM-M-42833-2025 tiled as ‘Amit Kumar versus State of Haryana’.

August 13, 2025
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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