

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-50857-2023
Date of decision: 23.05.2025

CHIBUIKEPetitioner

Versus

STATE OF HARYANARespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Ms. Gurjeet Kaur, Advocate
for the petitioner.

Mr. Surender Singh, AAG, Haryana.

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SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
0024	17.02.2023	120-B IPC, 204, 419, 420, 467, 468, 471 IPC and 66-D (IT Act) and 14 of Foreigner Act	Cyber Crime Gurugram, District Gurugram.

2. Learned counsel for the petitioner inter alia contends that the petitioner after spending more than 01 year in custody in the present case triable by the Court of Magistrate has already been granted concession of interim bail vide order dated 29.04.2024. She contends that after being granted concession of interim bail the petitioner had been regularly appearing before the learned Trial Court on each and every date of hearing



w.e.f. 10.05.2024 and as such, prays for making the order dated 29.04.2024 passed by this Court as absolute.

3. Learned State counsel has filed the custody certificate dated 22.05.2025 and has not disputed the fact that the petitioner has not committed any default after 29.04.2024 and is regularly appearing before the learned Trial Court.

4. After hearing the respective submissions and perusing the record it transpires that the petitioner after being arrested in case FIR (Annexure P-1) on 05.04.2023 had moved the instant petition for grant of regular bail wherein on 29.04.2025, the following order had been passed:

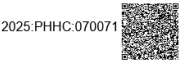
“ Learned counsel contends that petitioner is in custody since 05.04.2023; report under Section 173 of Code of Criminal Procedure, 1973 was presented on 30.06.2023; but charges are yet to be considered by learned trial Court. Also contends that there is no other criminal case pending against the petitioner.

Learned State counsel seeks time to verify the above factual position.

Posted for 24.07.2024.

Till the next date of hearing, petitioner is ordered to be released on interim bail in this case on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.”

5. From the submissions made by learned counsel for the petitioner, it transpires that the petitioner has spent more than 01 year, 01 month in custody when he was granted concession of interim bail and was released from custody on 10.05.2024.



6. Admittedly, the petitioner has not misused the concession of interim bail and he was appearing on each and every date of hearing before the learned Trial Court.

7. Therefore, without commenting on the merits of the case, the present petition is allowed. The interim bail granted vide order dated 29.04.2024 is made absolute. The petitioner is directed 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.

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

23.05.2025
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(SANJIV BERRY)
JUDGE

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