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

CRM-M-46930-2025

Date of Decision: 01.09.2025

JITENDER KUMAR

... PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

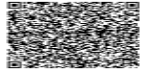
Present: Mr. Amit Siwach, Advocate
for the petitioner.

Mr. Karan Veer Singh, Sr. Deputy Advocate General, Haryana.

SUBHAS MEHLA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 55 dated 23.02.2025, under Sections 318(4) of BNS registered at Police Station Cyber Crime East, Gurugram.

2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case and has no role to play in the cyber crime. His account was used by the co-accused on the pretext of providing him a loan of Rs. 10,000/- as the present petitioner had taken a loan from Manish Tyagi. He also submitted that the petitioner has been in custody for three months, the investigation has already been completed *qua* the present petitioner and there is no other case pending against the petitioner and the trial of the case is likely to take considerable time. The

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prolonged incarceration without trial violates the petitioner's Fundamental Right under Article 21 of the Constitution of India. The petitioner prays for concession of regular bail. The petitioner undertakes to abide by all conditions imposed by this Hon'ble Court and assures that he will not tamper with evidence, influence witnesses, or abscond during trial.

3. Learned State counsel has filed the custody certificate, which is taken on record.

4. Learned State counsel, appearing on advance notice, vehemently opposes the prayer for grant of regular bail to the petitioner and submits that in case the petitioner is granted the concession of regular bail, he will misuse the same. He submits that the petitioner knowingly gave his account number in lieu of loan of Rs.10,000/- and by receiving the said money he actively participated in the crime. However, he does not dispute the fact that there is no other case pending against the petitioner.

5. Heard.

6. In view of the submissions of learned counsel for the petitioner and the fact that the petitioner is in custody for more than three months; the investigation is already complete and he is not involved in any other case; the trial would take sufficient time to conclude, this Court deems it a fit case to grant the concession of regular bail to the petitioner.

7. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

8. However, it is made clear that in case the petitioner is found to

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be indulged in any such activity, the prosecution will be at liberty to move an application for cancellation of his bail.

01.09.2025

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(SUBHAS MEHLA)
JUDGE

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