



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

CRM-M-53085-2024

Date of Decision:23.05.2025

Hemant Prajapati

...Petitioner

vs.

State of Chandigarh

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Simranjit Singh, Advocate with
 Mr. Aman Mittal, Advocate
 for the petitioner.

Mr. Manish Bansal, Public Prosecutor, U.T., Chandigarh

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail to him in case FIR No.0045 dated 23.05.2024 registered under Section 66-D of IT Act and Sections 419, 420, 467, 468, 471, 120-B of IPC, at Police Station Cyber Crime, Sector-17, Chandigarh.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered against Munish Kumar, Rahul Sharma and Ankita Gupta and various account holders. He further submits that the petitioner was not named in the FIR and has no connection with the alleged offence. He next contends that the petitioner was arrested in the present case on 09.08.2024 and is in custody for the last about 09 months. After completion of investigation, challan has already been presented against him but the trial has not even been initiated against him. Learned counsel has further referred to the order dated

02.12.2024 passed by this Court in CRM-M-47379-2024 and CRM-M-47622-2024, whereby co-accused, namely, Mahesh Jangid and Vishal Gaur were granted the concession of bail. He next contends that the petitioner is the first offender and was never involved in any other criminal activity. Moreover, the offences are triable by the Court of Magistrate and further custody of the petitioner will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is stated to be in custody for the last about 09 months and the final report under Section 173 Cr.P.C. has already been presented against him. Moreover, no witness has been examined so far and there are no chances of early conclusion of the trial in the present case.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

23.05.2025
hemlata

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