

2025:PHHC:055584



227.

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

**CRM-M-932-2025**

Date of decision: 29.04.2025

Francise Edmond

.... Petitioner

Versus

State of Hayana

.... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Balkar Singh, Advocate, for the petitioner.

Mr. Rajat Gautam, Addl. A.G., Haryana.

-----

**MANJARI NEHRU KAUL, J. (ORAL)**

1. Prayer in this petition filed under Section 483 of BNSS, 2023, is for grant of regular bail to the petitioner, pending trial, in case FIR No.12, dated 15.05.2023, under Sections 420, 467, 468, 471, 120-B of IPC, registered at Police Station Cyber Sonipat, District Sonipat.

2. Learned counsel for the petitioner submits that the petitioner was not named in the FIR and came to be arraigned as an accused subsequently, solely on the basis of a disclosure statement allegedly made by a co-accused. It is contended that even as per the case of the prosecution, the petitioner is neither alleged to be the principal conspirator nor is there any material indicating that any portion of the alleged amount of Rs.1.59 crores was ever credited to the account of the petitioner.

3. It is further argued that the only role attributed to the petitioner – albeit falsely and without corroboration – is that of acting as a courier,

allegedly transporting parcels purportedly containing fake sim cards, cash or certain documents from co-accused, Johnson (who has since been released on regular bail) to other co-accused persons. It is asserted that the petitioner has been falsely implicated merely on account of his acquaintance with certain co-accused, and that no evidence exists to show that he received or handled any proceeds of crime, directly or indirectly.

4. It has been further submitted that several co-accused, including those alleged to have played a more significant role in the offence, have already been granted the concession of regular bail. Learned counsel has also pointed out that only 01 out of the 16 witnesses cited by the prosecution has been examined so far, and there is no likelihood of the trial concluding in the near future. It has been further contended that the petitioner is willing to comply with any stringent conditions that may be imposed to secure his presence during the trial.

5. *Per contra*, learned counsel for the State has opposed the prayer and submissions made by the counsel opposite and reiterated the serious allegations, set out in the FIR, which stands reproduced hereinunder:-

“To Station House Officer, Cyher Police Station Sector-23, Sonapat. Sir Ji, I am working as Principal in Om Public School, Gohana. That our school firm account no.37720200000187 is in Bank of Baroda, Branch, Gohana . That in this Bank registered mobile no. is 9215241667. That in this account the linked mail id [opsgohana@rediffmail.com](mailto:opsgohana@rediffmail.com). That with regard to aforesaid account, the messages/OTP registered mobile no. is in possession of Nirmal Lathar, Director of School and Karambir, Accountant and IT Head, Bijender are having the access of aforesaid e-mail id. That on dated 15.05.2023, in afternoon, when the email was tried to access then it could not be access and registered mobile no.

was also not working. That on having suspicion the balance of aforesaid account was checked from the Ban): then came to know that the unknown persons with conspiracy, cheating and forgery, after adding the forged beneficiary account in the aforesaid account have caused the loss of Rs.15950047.20 (Rs. One crore fifty nine lakh fifty thousand forty seven only) by doing cheating. That the unknown persons in conspiracy by opening a forged bank account and by changing the password of E-mail id and tempering with the mobile no. without our consent have caused loss to us on dated 14.05.2023 and 15.05.2023 by transferring of Rupees from the aforesaid current account of the school. Strict legal action be taken against those persons, who have cheated by using forged documents. Thanks Manjeet Khasa, Peincipal Om Public School, Gohana, Mob. No.9813100900, 92158-1300, R/o 1003, Sector 23, Sonipat."

6. Learned State counsel, however, has not disputed that similarly situated co-accused have since been granted regular bail. It has also been stated, on instructions, that the petitioner is not involved in any other criminal case.

7. I have heard learned counsel for the parties and perused the material placed on record.

8. The petitioner has been in custody since 24.07.2023. The charge-sheet was filed on 18.10.2023 and charges were framed on 19.12.2023. Out of 16 witnesses cited by the prosecution, only 01 has been examined to-date, and the trial is not, therefore, likely to conclude in the near future. Notably, no direct financial trail has been shown linking the petitioner to the alleged crime. Furthermore, co-accused, similarly or more seriously implicated, have already been enlarged on bail.

9. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

10. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, the trial Court may impose any stringent condition as it deems fit to ensure the presence of the petitioner during trial.

11. It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**April 29, 2025**

sanjeev

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No