



CRM-M-4557-2025

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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**CRM-M-4557-2025 (O&M)****Date of decision : 31.1.2025**

Sandeep @ Sanjeev @ Sanju

... Petitioner

VERSUS

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Shwas Bajaj, Advocate, for the petitioner.

KARAMJIT SINGH, J. (Oral)

Prayer in the present petition is for grant of regular bail to the petitioner in case having FIR No.28 dated 30.1.2023 registered under Sections 420 IPC (Section 201 IPC added later on) at Police Station Barara, District Ambala.

2. The allegations in nutshell are that the complainant deputed one Navjot to withdraw money from her ATM and when Navjot reached the said ATM machine, one unknown person came to help him and took his ATM card and later on, the complainant came to know that someone has exchanged her ATM card and by using her ATM card, amount of ₹ 1.70 lakh was withdrawn by the said miscreant. During investigation, the petitioner was arrested.

3. Counsel for the petitioner, *inter alia*, submits that the petitioner is falsely implicated in the present case which was registered against some unknown person. It is further submitted that the petitioner is behind bars for the last about 6 months and during investigation, only amount of ₹ 5,000/- was recovered from his possession. It is further submitted that it will take



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time for the trial to conclude. So, prayer is made that the petitioner be released on regular bail pending trial.

4. Notice of motion.

5. Mr. Karan Garg, AAG, Haryana accepts notice on behalf of the State and submits that during investigation, it was found that the present petitioner is the person who misused ATM Card of the complainant by withdrawing amount of ₹ 1.70 lakh from her account. However, State counsel has not disputed the fact that the petitioner is in custody for the last more than 5 months and that till date, prosecution is unable to examine any witness.

6. I have considered the submissions made by the counsel for the parties.

7. In the given circumstances, as FIR in this case was registered against unknown person and the petitioner was later on impleaded as accused and is in custody for the last about 6 months and the trial is at its initial stage, no gainful purpose is going to be served by prolonging judicial custody of the petitioner.

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

(KARAMJIT SINGH)
JUDGE

January 31, 2025

Paritosh Kumar

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