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

CRM-M-8564-2025

Date of Decision:22.04.2025

Kapil

...Petitioner

vs.

State of Haryana

...Respondent

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

Present : Mr. Jitender K. Sehwat, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

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.116 dated 21.10.2024 registered under Sections 318(4) of BNS (Section 61(2) of BNS added later on), at Police Station Cyber Crime Police Station Hisar, District Hisar.

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on the basis of the statement made by Uma Dutt, who alleged that the petitioner and his co-accused had cheated the complainant on the pretext of getting his money invested in stocks. He refers to the compromise deed (Annexure P-2) to contend that the matter has been amicably resolved between the parties and six of the co-accused had signed the compromise deed in the present case. He places reliance on the orders (Annexures P-3 to P-7), whereby co-accused, Sahil @ Sushil, Anuj, Nitin Nagar, Shashank Tripathi, Nilesh Gaur and Deepak have been admitted to bail

by the trial Court. As per learned counsel, the petitioner was arrested on 24.10.2024 and is in custody since then. After completion of investigation, challan has already been presented and no witness has been examined so far.

3. On the other hand, learned State counsel has filed the status report by way of an affidavit of Additional Superintendent of Police, Hisar and the same is taken on record. He 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. However, he admits that there is no other case against the petitioner.

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

5. The petitioner is stated to be in custody since 24.10.2024 and all the offences are triable by the Court of Magistrate. Even as per admitted stand, the prosecution has not been able to examine even a single witness so far. Moreover, co-accused, namely, Sahil @ Sushil, Anuj, Nitin Nagar, Shashank Tripathi, Nilesh Gaur and Deepak have already been granted the concession of regular bail by the trial Court vide orders (Annexures P-3 to P-7).

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

22.04.2025
hemlata

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