

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

CRL. MISC. No.M-17098 OF 2015 (O&M)
DATE OF DECISION : 27th MAY, 2015

Ashish

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. N. S. Shekhawat, Advocate for the petitioner.

Mr. Baljinder Singh Virk, Deputy Advocate General, Haryana.

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SURINDER GUPTA, J. (ORAL)

This petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No.227 dated 11.08.2014 registered for offence punishable under Sections 406, 506, 120-B IPC at Police Station Sector-56, District Gurgaon.

Heard.

Notice of motion.

On the asking of the Court, Mr. Baljinder Singh Virk, Deputy Advocate General, Haryana, who is present in court, accepts notice and submits that intimation by Registry informing of fixation of the application has already been received and record of the case is available with him.

The allegations against the petitioner are that the complainant had given him ₹20,00,000/- in a property deal which the petitioner did not return to him. The learned counsel for the petitioner submits that the alleged payment of ₹20,00,000/- was termed as friendship loan but there

was no receipt or writing qua that. The petitioner was arrested on 19.08.2014 in this case. Challan has been presented and the trial is in progress.

Learned State counsel submits that there are similar eight other cases against the petitioner.

Learned counsel for the petitioner submits that in one of the case bearing FIR No.240 dated 22.08.2014 the petitioner is on bail.

Keeping in view the facts discussed above, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Ashish is ordered to be released on regular bail on his furnishing bail bond and surety bond to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, Gurgaon, subject to following terms:

- (i) The accused shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.
- (iii) He shall not leave the country without the previous permission of the Court.

27th May, 2015
'raj'

(SURINDER GUPTA)
JUDGE