

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Criminal Misc. No.M-314 of 2015 (O&M)
Date of decision: 05th February, 2015

Ashish Bishnoi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. Deepak Grewal, DAG, Haryana,
for the respondent-State.

INDERJIT SINGH, J.

Petitioner Ashish Bishnoi has preferred this petition under Section 439 Cr.P.C., seeking regular bail in case FIR No.240 dated 22.08.2014, registered at Police Station Sector 55/56, Gurgaon, under Section 406, 420, 170, 201 IPC.

Learned counsel for the petitioner contended that the petitioner has been falsely implicated in this case as the FIRs are at the instance of senior anchor in television channel and in the short period, so many FIRs have been got registered against the petitioner. Learned counsel for the petitioner further contended that there is no documentary evidence to show the payment of such a huge amount of Rs.5 crores to the petitioner and no such documentary evidence has been collected during investigation. Challan has already been presented.

On the other hand learned State counsel contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Learned State counsel states that there is no documentary evidence to show that the amount of more than Rs.5 crores has been paid by any negotiable instrument nor during investigation, evidence has been collected that such a huge amount has been deposited in the bank account of the petitioner or he has utilized it in any way. Learned State counsel further stated that there is only oral statement of complainant as well as other witnesses regarding the payment of amount.

The petitioner is not required for any investigation or interrogation purposes nor anything is to be recovered from him as the challan has already been presented before the Court and he is only to face the trial. The offences are triable by the Court of Judicial Magistrate 1st Class. The petitioner is in custody since 28.08.2014. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case and without discussing the facts of the case in minute details and without expressing any opinion on the merit of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of trial Court/Duty Magistrate.

05th February, 2015
mamta

(INDERJIT SINGH)
JUDGE