

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

CRM No.M- 476 of 2015(O&M)

Date of Decision: February 4, 2015.

Rahil PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate
for the petitioner.

Mr. Pawan Girdhar, Addl.A.G., Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.361 dated 05.09.2014, under Sections 420/467/468/471/270/272/506 IPC and Section 63 of the Copyright Act, registered at police station City Sonapat, District Sonapat.

Learned senior counsel for the petitioner submits that the present petitioner was not named in the FIR. He has been named by co-accused, Mohd. Javed Khan. Petitioner, who is in custody since 18.09.2014 is facing a magisterial trial. Co-accused Mohd. Javed Khan has been granted concession of bail by this Court on 05.01.2015 in CrI.Misc. No.M-39506 of 2014. Other co-accused Yogesh, Sapna Matta, Avnish and Ajay have been granted the concession of bail pending trial by the learned trial court.

Learned counsel for the State as well as the complainant oppose this

petition. Learned counsel for the State submits that a heavy recovery of 25 bags of duplicate tobacco was effected from the petitioner. Therefore, he is not entitled to the concession of bail pending trial.

I have heard learned counsel for the parties.

Petitioner is in custody since 18.09.2014. Report under Section 173 Cr.P.C. has been submitted before the trial court. No recovery is to be effected from the petitioner. Trial is likely to take a long time to conclude. It is also verified by the learned counsel for the State that no other case is pending against the petitioner.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the the facts and circumstances but without commenting or expressing any opinion on the merits of the case, it is considered just and expedient to extend the concession of bail pending trial to the petitioner.

Consequently, this petition filed by Rahil is allowed. Petitioner shall be released on bail pending trial subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the Trial Court.

None of the observations made hereinabove shall not be construed to be a reflection on merits of the case and shall have no bearing on trial.

(LISA GILL)
JUDGE

February 4, 2015.
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