

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

CRM No.M-5781 of 2015

Date of decision: 28.05.2015

Naresh Gupta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in case FIR No.578, dated 20.11.2013, registered under Sections 420, 406, 468, 471, 120-B IPC and Sections 65 & 66 of the Information & Technology Act, 2000 (for short "IT Ac"), at Police Station City, Jagadhri.

It is contended that the petitioner is not named in the FIR. Even, he was not nominated as an accused in the first challan filed on 28.01.2014. Subsequently, supplementary challan was filed on 30.03.2014, wherein he has been made an accused. It is further

contended that it is a magisterial trial and the petitioner is in custody since 17.02.2014. The co-accused Suyash Kumar against whom the charge is under IT Act has been enlarged on bail by this Court.

On the other hand, the learned State counsel vehemently opposes the bail application and states that the petitioner has introduced the main accused to the bank authorities and being a facilitator of the crime, he does not deserve any leniency. The charges have been framed; out of total 15 witnesses, seven has been examined so far.

Heard.

Keeping in view the fact that its being a magisterial trial, the custody period; out of total 15 witnesses; only seven has been examined so far, therefore, it can be safely inferred that the trial is not likely to conclude in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, subject to his furnishing a bail/surety bonds in the sum of Rs.7 lacs with two sureties, to the satisfaction of the trial Court.

28.05.2015

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(JITENDRA CHAUHAN)
JUDGE