

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

CRM-M No.42991 of 2016
Date of decision: 9th December, 2016

Akshay Garg

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. R.S. Rai, Senior Advocate with
Mr. Vishal Aggarwal, Advocate for the petitioner.

Mr. Munish Sharma, Asstt. Advocate General, Haryana
for respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Akshay Garg in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.139 dated 02.05.2015 registered at Police Station Sector 5, Panchkula under Sections 406/420/467/468/471/506/120-B IPC, are that his real brother R.K. Aggarwal, one of the Directors of M/s Shalimar Estates Pvt. Ltd., happened to have induced certain investors numbering 112 and in the process of promising them residential premises had duped a sum of Rs.70.00 crores.

Contentions of the learned counsel for the petitioner Mr.R.S. Rai, Senior Advocate assisted by Mr. Vishal Aggarwal, Advocate are that the petitioner has no role to play in the affairs of M/s Shalimar

Estates Pvt. Ltd., the actual developers of land, and is neither a Director of the Company nor any specific role is attributed to him and that similarly placed co-accused Innate Aggarwal has been allowed interim bail by this Court vide orders dated 11.11.2016.

The factual scenario could not be displaced by learned State counsel.

In the light of submissions made by learned counsel for the petitioner and that the petitioner is in custody since 12.10.2016 coupled with the fact that the investigation and trial will take a long time to conclude, without feeling necessity to advert on to the merits this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Panchkula.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

December 9, 2016

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No