

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

(1) **CRM No. M-17347 of 2016 (O&M)**
Date of Decision: 23.01.2017.

Rajesh
... Petitioner
Versus
State of Haryana
... Respondent

(2) **CRM No. M-17404 of 2016 (O&M)**

Rajesh
... Petitioner
Versus
State of Haryana
... Respondent

(3) **CRM No. M-23135 of 2016 (O&M)**

Rajesh
... Petitioner
Versus
State of Haryana
... Respondent

(4) **CRM No. M-20575 of 2016 (O&M)**

Rajesh
... Petitioner
Versus
State of Haryana
... Respondent

CORAM : **Hon'ble Mr. Justice Jitendra Chauhan**

Present : Mr. R.S. Rai, Sr. Advocate with
Mr. Manish Soni, Advocate,
for the petitioner.

Mr. Deepak Sabharwal, Addl. AG, Haryana.

JITENDRA CHAUHAN.J.

This order shall dispose of afore-mentioned four

regular bail applications filed by petitioner, Rajesh in FIR No.315 dated 21.10.2014, FIR No. 331 dated 06.11.2014, FIR No. 321 dated 30.10.2014 and FIR No.40 dated 12.02.2014 registered under Sections 406, 420 and Section 120-B IPC at Police Station DLF Phase-I, Gurgaon.

It is contended that the petitioner has been indicted for the offence punishable under Section 420 IPC, therefore, as per the provisions of Section 437(6) of the Code of Criminal Procedure, if trial does not conclude within a period of 60 days from the first date fixed for taking evidence in the case, the accused is entitled to be released on bail. Learned counsel further refers to the chart of the status report filed on behalf of the State on 26.09.2016, to contend that the challan has been filed only in eleven FIRs whereas, after filing the status report, four more challans have also been filed and subject matter of these 16 FIRs is Rs.5.48 crores whereas, in Police Station Bhupani, District Faridabad, challans have been filed only in 25 FIRs out of 45 FIRs. Settlement has been reached in respect of remaining 20 FIRs. Learned counsel for the petitioner further states that the petitioner owns another project, namely, Jupiter Land Developers Private Limited at Neemrana wherein the petitioner is Additional Director along with three others who happen to be the family members of the petitioner. The whole project has been acquired by the State of Rajasthan. The State has passed an Award to the tune of more than Rs.18 crore, 20 lacs. Learned

counsel, on instructions, states that the amount is likely to be received within two months. Accordingly, the petitioner undertakes that within one month of the receipt of the amount, he shall discharge his liability in all the FIRs reflected in the reply filed by the State including the FIR registered at Police Station Manesar, Gurgaon in respect of which the bail applications are listed before a Coordinate Bench.

In view of the undertaking given by the learned counsel for the petitioner that the entire liability shall be discharged within one month from the date of receipt of amount from Neemrana acquisition proceedings, the present petitions are allowed, at this stage without going into the merits of the case. The petitioner is ordered to be released on bail in all the aforesaid four FIRs on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate. However, the petitioner shall remain bound by the statement made before the Court. If the payment is not made within approximate three months from today, the victims/prosecution shall be at liberty to revive the present petitions or initiate any other proceedings as per law.

The petitions are allowed.

23.01.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No