

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-21878 of 2017
Date of Decision: 20.06.2017

Shakil Alam

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Javed Ahmad, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.63 dated 22.02.2017 registered for offences punishable under Sections 420, 467, 468, 471 and 201 of Indian Penal Code (for short, "IPC") and 108 of Trade Mark Acts, 1999, at Police Station Sector 18, Gurugram.

Heard.

Notice of motion.

On asking of the court, Mr. Gaurav Jinadl, Addl. AG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per allegations in the FIR, some unknown persons using name of Kalyan Jewellers and its logo collect money from their customers and using fake documents take personal loan from various banks. On enquiry by an official of AXIS Bank from Kalyan Jewellers, it came to notice that loan was applied in the name of Sushant Sharma, their Manager

but there was no person in the name of Sushant Sharma employed as their Manager. On investigation, the police found that all this fraud is handy work of petitioner and he was arrested on 10.04.2017 and is in custody since then.

Learned State counsel submits that case is still under investigation and the police has yet to present the challan.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Shakil Alam is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

June 20, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No