

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

**Crl. Misc. No.M-32751 of 2017 (O&M)
Date of Decision: September 29, 2017.**

Chandra Shekhar

.....PETITIONER(s).

VERSUS

Central Bureau of Investigation

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Guninder Singh Brar, Advocate
for the petitioner (s).

Mr. Summet Goel, Advocate
retainer counsel for respondent-CBI.

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. RC No.1(A)2017/ACU-V/AC-II/N Delhi, registered for the offences punishable under Sections 409, 420, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short IPC) and 13 of Prevention of Corruption Act, 1988 (for short PC Act) (Earlier FIR NO. 5 dated 22.07.2015, registered for the offences punishable under Sections 409, 420, 467, 468, 471 read with Section 120-B IPC and 13(1) (d) of PC Act at Police Station SVB, Panchkula.

Heard.

Learned counsel appearing for CBI submits that the petitioner

was though not named in the FIR but it has come on record during

investigation that he had deposited two cheques of ₹19 crore and ₹1 crore in the account of Land Acquisition Collector, Panchkula which was in Punjab National Bank, Jangpura, Extension, New Delhi through deposit slips which were signed by him. It was also revealed that at later stage on the authorisation given by Naresh Kumar Sheokand, District Revenue Officer to the bank, an amount of ₹10crore was transferred to the account of Hindustan Diagnostic Limited, of which the petitioner was authorised signatory. About the withdrawal of the amount from the account of Hindustan Diagnostic Limited, the investigation is still in progress.

Learned counsel for the petitioner submits that petitioner is in custody since 06.05.2016. Main accused Naresh Kumar Sheokand has already been allowed regular bail by the Court of Additional Sessions Judge, Panchkula vide order dated 22.09.2016 while the bank official Bhim Singh whose connivance is alleged in commission of offence has been allowed regular bail vide order dated 05.06.2017 passed in CRM-M-35031-2016. He denies that any amount was transferred in the account of the petitioner or he has any concern with the Hindustan Diagnostic Limited.

The allegations against the petitioner are that some money was transferred by Naresh Kumar Sheokand in the account of Hindustan Diagnostic Limited of which the petitioner is an authorised signatory. The investigation in this case is still in progress. The petitioner is in custody for the last 1 year and 4 months approximately. The case against the petitioner is based on documentary evidence. The completion of investigation, presentation of challan and trial of the case will take considerable long time,

In view of the above fact but without expressing any opinion on

the merits of the case the present petition is allowed. Petitioner Chandra Shekhar 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 prior permission of the Court.

September 29, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>