

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-43406 of 2017
Date of Decision: 27.11.2017

Rajan Passi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sunil Chadha, Sr. Advocate with
Mr. Akshya Chadha, 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.248 dated 09.09.2017 registered for offences punishable under Sections 420/406/201/120-B of Indian Penal Code (for short, "IPC") at Police Station Dakha, District Ludhiana (Rural).

Heard.

Notice of motion.

On asking of the court, Mr. C.L. Pawar, Sr. D.A.G., Punjab, 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.

Learned counsel for the petitioner seeks regular bail for the petitioner on the ground of parity with co-accused, namely, Raj Kumar Sharma and others, who have been allowed anticipatory bail vide order dated 15.11.2017 passed in CRM-M-39480-2017.

As per allegation of complainant, the petitioner was manager in

his marriage palace, which complainant wanted to give on lease. He expressed this desire to petitioner, who introduced co-accused, Raj Kumar and others with complainant. The palace was given on lease to them but they did not pay the lease money as per terms of lease agreement.

The petitioner was arrested in this case on 13.10.2017. The main accused to whom the marriage palace was allegedly given on lease have been allowed benefit of anticipatory bail.

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-Rajan Passi 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 27, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No