

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

**CRM-M No.15252 of 2018
Date of Decision: 23.04.2018**

Shashank Lochab

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Saransh Sabharwal, Advocate for
Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. Satish Saini, D.A.G., Haryana.

Mr. K.B.S. Mann, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.445 dated 19.12.2017 registered under Sections 420, 406, 120-B IPC at Police Station Sector 56, Gurugram.

Sandeep Kumar Lochab is the sole proprietor of Chill-Phill. Allegations in the FIR are to the effect that petitioner collected an amount of Rs.1,40,000/- on 20.06.2017 and

Rs.96,000/- on 22.06.2017 from the complainant. As per disclosure statement of Sandeep Kumar Lochab, petitioner used to collect the amount on behalf of Chill-Phill. In the bank account, Sandeep Kumar Lochab has been shown as the proprietor of the concern.

Learned State Counsel duly assisted by learned counsel for the complainant submitted that huge amount has been swallowed by Sandeep Kumar Lochab in connivance with the petitioner who happens to be nephew of Sandeep Kumar Lochab and both are operating the office of Chill-Phill in the house belonging to the petitioner.

Challan has already been presented. Petitioner is in judicial custody. In view of **Sanjay Chandra and Vinod Goenka Vs. Central Bureau of Investigation, 2011(4) RCR (Criminal) 898, Babba Vs. State of Maharashtra, (2005) 11 SCC 569** and **Sidharam Satlingappa Mhetre Vs. State of Maharashtra, 2011(1) RCR (Criminal) 12,** in case of economic offence of huge magnitude causing loss to the State Exchequer after investigation and filing of charge-sheet, regular bail can be considered as bail is the Rule and committal to jail is an exception.

At this stage, since offence is triable by the Magistrate,

challan has already been presented, petitioner is in judicial custody and without meaning anything on the merits of the case, the petition is allowed and petitioner is ordered to be released on regular bail subject to his furnishing heavy bail bonds and surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

April 23, 2018.

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No