

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-30434 of 2018
Date of Decision: 26.07.2018

Badri Narayan Roy

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ashok Kumar Jindal, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

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.308 dated 01.04.2017 registered for offences punishable under Sections 406/420/467/468/471/120-B/201/34 of Indian Penal Code (for short, "IPC") and 66 of Information Technology Act, at Police Station City Gurugram, District Gurugram.

Heard.

Learned counsel for the petitioner submits that petitioner was arrested in this case on 21.04.2018 and after investigation challan against him has been presented in Court. The matter is still under investigation as out of total ten accused named in the FIR only five have been arrested so far out of whom one Sombir Motiya has been allowed regular bail vide order dated 18.07.2018 passed in CRM-M-28810-2018. Main accused, namely, Shalender Sharma, who is promoter of the company has also been allowed interim anticipatory bail vide order dated 20.06.2018 passed in CRM-M-

25619-2018. Petitioner is one of the complainant and has suffered huge financial loss of his investment with the company. Later the police has implicated him as accused and arrested him.

Keeping in view the fact that challan against the petitioner has been presented, the matter is still under investigation and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Badri Narayan Roy 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 26, 2018
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No