

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

207

CRM-M NO.48334 OF 2017

DATE OF DECISION: JANUARY 08, 2018

Ravi Ashok Sonune

.....Petitioner

VERSUS

U.T., Chandigarh

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Rajesh Garg, Sr.Advocate with
Mr. Varinder Arora, Advocate,
for the petitioner.

Mr. Gagandeep Singh Wasu, Advocate,
Additional Public Prosecutor for U.T., Chandigarh.

AUGUSTINE GEORGE MASI, J. (ORAL)

This petition for grant of regular bail has been filed by Ravi Ashok Sonune, who is a student studying in Mumbai and as asserted by learned senior counsel he is a football player as well. Counsel further asserts that no recovery has been effected from the petitioner and rather he, on the asking of his friend, namely, Preet Ravriya, had only accompanied him. He contends that the petitioner is in judicial custody since 13.09.2017. Challan has been presented and the case is now fixed for framing of charge on 17.01.2018. His submission is that no financial benefit has accrued to the petitioner and as per the challan, which has been presented, there is no allegation with regard to the fact that he was in any manner involved in the money transaction. He, therefore, prays for grant of concession of regular bail to the petitioner.

On the other hand, counsel for Union Territory, Chandigarh,

submits that the accused was apprehended from the spot on a trap being laid down on 07.09.2017 while delivering the herbal seeds. He contends that although no recovery has been attributed to him as he was not found in possession of said seeds but since he is directly involved in the whole process of commission of fraud, he is not entitled to the benefit of concession of bail. The matter is being further investigated. He, however, could not dispute the fact that challan has been presented and the case is now fixed for 17.01.2018 for framing of charge against the accused.

Having considered the submissions made by counsel for the parties, it is apparent that the petitioner although having been apprehended from the spot where the other two co-accused were also apprehended, but no recovery was effected from him as he was not found in possession of any herbal seeds. There is no allegation or evidence connecting him with any financial benefit having been obtained or gained by him in this process, except that he was found alongwith other two co-accused. There is no likelihood of the petitioner interfering in any form in the investigation of the case.

In the light of the above position, as is culled out from the challan, which has been presented, the present petition is allowed. The petitioner is ordered to be released on bail to the satisfaction of the Chief Judicial Magistrate, Chandigarh.

January 08, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No