

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9522-2019

Date of Decision: 07.03.2019

Gurdial @ Jony

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jasdeep Singh Gill, Advocate for the petitioner.

Mr. Navdeep Singh, AAG, Haryana.

...

Inderjit Singh, J. (Oral)

Petitioner Gurdial @ Jony has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.856 dated 06.10.2017, registered at Police Station Suraj Kund, District Faridabad, under Sections 420, 406, 467, 468, 471 and 120-B of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

I have perused the FIR, the present petitioner is stated to have accompanied Ashok Kumar Oberoi, who was known to the complainant. Ashok Kumar Oberoi asked for the amount from the complainant. As per the FIR, ₹40 lacs in cash was paid to him (Ashok Kumar Oberoi) and ₹35 lacs was paid through RTGS in the account of Manish Chawla. It is also

mentioned in the FIR that ₹ 40 lacs was given to Ashok Kumar Oberoi for his personal use. The present petitioner is in no way a beneficiary and no money was paid to him.

The petitioner has been in custody since 06.12.2018. He is not required for any investigation or interrogation purposes as he is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping him in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

07.03.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No