

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

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**CRM-M No.12945 of 2019 (O&M).
Date of Decision: 02.04.2019.**

Rahul Marwah

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Bipan Ghai, Senior Advocate, with
Mr. Arav Gupta, Advocate, for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Haryana.

Mr. Ram Bilas Gupta, Advocate, for the complainant.

Shekher Dhawan, J.

Present petition under Section 439 of the Criminal Procedure Code is for grant of regular bail to the petitioner in case F.I.R. No.1049 dated 19.10.2018, registered under Sections 420, 406, 120-B of the Indian Penal Code, at Police Station Central Faridabad.

Learned senior counsel representing the petitioner contended that there are no allegations against the present petitioner and he was not named in the F.I.R. The entire F.I.R. and the allegations contained therein are against J.P. Marwah, who is the main accused and has already been arrested in this case. Trial of the case still to take some more time, no useful purpose would be served by detaining the petitioner behind the bar, so he be released on bail.

Learned State counsel as well as learned counsel representing the complainant, while opposing the prayer for bail, contended that the petitioner is the only son of main accused J.P. Marwah and a sum of Rs.49,00,000/- was transferred to his account. Moreso, the petitioner is the attesting witness to the agreement to sell and no case is made out for release of the petitioner on regular bail.

Having considered the submissions made by learned counsel for the parties and the fact that the petitioner is in custody since 28.02.2019 and he is not named in the F.I.R., the allegations are mainly against J.P. Marwah who has since been arrested, the offences being triable by the Court of Magistrate; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bar any more, the present petition is allowed. Petitioner-Rahul Marwah is ordered to be admitted to regular bail on his furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

02.04.2019
jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No