

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

220+234

Date of Decision: 02.04.2019.

(1) CRM-M No.48111 of 2018

Gaurav Behl

.....Petitioner.

VERSUS

State of Haryana

.....Respondent

AND

(2) CRM-M No.10540 of 2019

Rakesh Arora

.....Petitioner.

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. R.S. Khosla, Sr. Advocate, with
Ms. Ishrat Phulka, Advocate
for the petitioner (in CRM-M-48411-2018).

Mr. Gurinder Pal Singh, Advocate
for the petitioner (in CRM-M-10540-2019).

Mr. Ashish Sanghi, DAG, Haryana, with
Ms. Tanushree Gupta, DAG, Haryana.

Shekher Dhawan, J.

The aforementioned two petitions under Section 439 of the Criminal Procedure Code have been filed for grant of regular bail to the petitioners Gaurav Behl and Rakesh Arora, in case F.I.R. No.197 dated 05.03.2018, under Sections 465, 467, 468, 471, 177, 200, 420, 120-B of the Indian Penal Code (Section 132 CGST Act, 2017 and Sections 66-C, 66-D of the I.T. Act, 2000 added lateron), registered at Police Station DLF,

Learned counsel representing the petitioners contended that the petitioners are in custody since 12.04.2018 and co-accused Shubham Khandelwal has already been admitted to bail as per order dated 04.12.2018 passed by learned Additional Sessions Judge, Gurugram. The petitioners are facing trial in a case, which is triable by the Court of Magistrate only. Trial of the case still to take some more time, no useful purpose would be served by detaining the petitioners behind the bar, so they be released on bail.

Learned State counsel opposed the prayer for bail on the ground that the petitioners are involved in number of cases of similar nature and they are not entitled to be released on regular bail.

Having considered the submissions made by learned counsel for the parties and the fact that the petitioners are in custody since 12.04.2018, co-accused Shubham Khandelwal has already been admitted to bail as per order dated 04.12.2018 passed by learned Additional Sessions Judge, Gurugram, the offences alleged are 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 petitioners behind the bar any more, both the petitions are allowed. Petitioner-Gaurav Behl and Rakesh Arora are ordered to be admitted to regular bail on their furnishing adequate bail bonds and surety bonds 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