

CRM-M-44394 of 2019

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

CRM-M-44394 of 2019
Date of Decision: 14.01.2020

Gangadhar

...Petitioner

Versus

The State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Rajiv Sharma, Advocate, for the petitioner.
Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.170 dated 28.03.2017 registered under Sections 420, 406, 120-B IPC and 13-A of the Gambling Act, 1867 at Police Station City Palwal, District Palwal.

According to the prosecution, petitioner as a director of firm M/s SRD Prize Distribution Group along with his accomplice cheated and misappropriated huge amount by collecting ₹1,000/- from each individual under the garb of a lucky draw. Petitioner was also found indulged in gambling and other similar type of offences.

Learned counsel for the petitioner *inter alia* contends that main accused Mahesh, who is managing director of M/s SRD Prize Distribution Group, situated at Palwal, has been enlarged on bail vide order dated

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29.11.2018 passed in CRM-M-51361 of 2018. There is no direct allegation against the petitioner of collecting money from any individual. Petitioner is in custody since 13.07.2019. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, treating the case of the petitioner, namely, Gangadhar on the same parity as that of his co-accused Mahesh, he is ordered to be released on bail during pendency of trial, if not required in any other case, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

January 14, 2020
R.S.

(RAMENDRA JAIN)
JUDGE

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