

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-46897-2019

Date of Decision: 28.02.2020

Vikas

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. KP Singh, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C., petitioner-Vikas, has prayed for grant of regular bail in case FIR No. 144 dated 19.04.2019 registered under Sections 205, 297, 420, 464, 465, 468 and 471 read with Section 34 IPC and Sections 7/13 of the Prevention of Corruption Act, 1988 at Police Station Civil Line, Sonipat.

According to prosecution, petitioner is one of the members of a racket being run by one Pawan Bhorla, Advocate of Sonapat. Allegations against him are that he, being relative of main accused Pawan Bhorla, for manipulating death of cancer patients into accidental death, was regularly conversing with the main accused.

Learned counsel for the petitioner *inter alia* contends that keeping the mobile of petitioner on surveillance by the police, he was not found conversing in connection with any such alleged fraud.

Conversation of petitioner, if any, with main accused-Pawan Bhoriya, was on account of their relationship. Petitioner was employed as driver by main accused. For this reason he has falsely been implicated in the instant case. The petitioner is in custody since 19.04.2019. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail. More so, co-accused of the petitioner namely; Ashok @ Ashok Kumar and Sumit have already been granted the concession of regular bail by this Court vide orders dated 18.09.2019 (Annexure P-2) and 16.01.2020, passed in CRM-M-36069-2019, respectively. Thus, treating the case of petitioner on the same parity, he may also be released on regular bail.

On the other hand, learned State counsel vehemently opposed the submissions of learned counsel for the petitioner.

Considering overall facts and circumstances, but without expressing any opinion on the merits of case, the petition is allowed. Consequently, petitioner-Vikas, is ordered to be released on bail pending trial, if, not required in any other case, on his furnishing adequate bail and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

February 28, 2020

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No