

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

201

CRM-M-31635-2021

Rakesh Kumar @ Bhasin

... Petitioner(s)

Versus

State of Punjab

... Respondent (s)

CRM-M-34425-2021

Gaurav Sharma

... Petitioner(s)

Versus

State of Punjab

... Respondent (s)

Decided on : 08.10.2021

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Diwan S.Adlakha, Advocate
for the petitioner in CRM-31635-2021.

Mr. G.S.Sirphikhi, Advocate
for the petitioner in CRM-34425-2021.

Mr. R.P. Singh, DAG, Punjab.

G.S. Sandhawalialia, J. (Oral)

In the present petitions filed under Section 439 Cr.P.C., petitioners seek regular bail in FIR No.88 dated 11.05.2021 under Sections 420, 473, 379, 120-B IPC and Section 21 of NDPS Act, 1985 registered at Police Station Dehlon, District Ludhiana.

Counsels for the petitioners have submitted that as per the FIR also the petitioners have been detained on the basis of secret information received that the petitioners have cheated crores of rupees from many persons by alluring them that they are in position to grant political benefits.

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CRM-M-31635-2021 & CRM-M-34425-2021 (O&M)

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It is submitted that the petitioners are in custody for 4 months 14 days as per custody certificates dated 08.10.2021. Out of two petitioners Rakesh Kumar @ Bhasin is not involved in any other case of similar nature, whereas Gaurav Sharma though involved in FIR No.453 of 2020 under Sections 461, 419 IPC registered at Police Station Islamabad but he has been released on bail on 11.12.2020 on the ground that challan was not presented within the prescribed period of 60 days under Section 167 (2) Cr.P.C.

It is not disputed that the investigation has been completed and challan has been presented on 10.07.2021 in the present case and, thus, investigation is complete.

Counsel for the State on instructions received from SI Jaswinder Singh has also candidly submitted that the provisions of NDPS have been deleted from challan.

In such circumstances, no useful purpose will be served by keeping the petitioners in further detention as trial is likely to take some time.

Accordingly, the present petitions are allowed. The petitioners be released on regular bail, to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ludhiana.

Disposed of.

October 08, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE