IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

245 **CRM-M-44514-2021**
DATE OF DECISION: 07.12.2021

SUBHASH CHANDER **… Petitioner(s)**

Versus

STATE OF HARYANA **... Respondent(s)**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Amit Rana, Advocate for the petitioner.

Mr. Kirpal Singh Thakur, AAG, Haryana.

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ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.104 dated 18.06.2020, under Sections 420, 467, 468, 471, 120-B IPC, (Section 132 of the SGST & CGST Act, 2017 added later on in the final investigation report/challan), registered at Police Station Bhattu Kalan, District Fatehabad.

Learned counsel for the petitioner contends that it is alleged that the petitioner had claimed input tax credit on bogus sales. He further contends that the petitioner has allegedly caused a loss of about 49 lakh approximately to the Government exchequer under Section 132 of the SGST & CGST Act, 2017. It is stipulated in the Act that if the tax liability is below 5 crores, the offence is bailable. The petitioner is 55 year of age and he is in custody for almost 8 months.

Learned State counsel contends that the petitioner is in custody for 7 months and 21 days. He also contends that challan has been filed but charges are yet to be framed.

Heard.

In view of the above, especially when the petitioner is 55 year of age, he is in custody for almost 8 months, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

07.12.2021
SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No