

ITEM NO.3

COURT NO.5

SECTION II-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 8695/2021

(Arising out of impugned final judgment and order dated 20-09-2021 in CRMM No. 26922/2021 passed by the High Court Of Punjab & Haryana At Chandigarh)

ASHWANI OBEROI

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

( IA No. 146539/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 156896/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 02-03-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Ms. Binu Tamta, Adv.  
Mr. Dhruv Tamta, AOR  
Mr. Vishal Gosain, Adv

For Respondent(s) Dr. Monika Gusain, AOR

UPON hearing the counsel the Court made the following  
O R D E R

The petitioner is involved in a case registered under Sections 406,419, 420, 467, 468, and 471 IPC. Aggrieved by the order of the High Court by which his 3<sup>rd</sup> application for bail has been dismissed, this special leave petition has been filed. The petitioner surrendered in Court on 26.08.2020 and has been in jail since then. We are informed that the charge sheet has been filed on 06.10.2020. Learned

counsel appearing for the petitioner submitted that the other co-accused have been released on bail and Achal Oberoi was granted anticipatory bail. Charges have been framed and the completion of the trial at an early date is not possible.

Dr. Monika Gusain, learned counsel appearing for the State submitted that the petitioner is the master mind. Innocent people were cheated. He was absconding for some time. There is a likelihood that he might abscond if he is released on bail and would tamper with the evidence.

We are of the considered view that the petitioner is entitled to be released on bail as charges have been framed and there is no likelihood of the trial being completed soon. Also, there is no dispute that the other accused have been released on bail. The apprehension of the prosecution about the petitioner fleeing from justice or making himself scarce during the course of trial, can be taken care of by imposing conditions.

We direct the release of the petitioner on bail subject to the satisfaction of the trial Court. In addition, the petitioner is directed to deposit his passport and report to the Rani Bagh Police Station, Delhi in the 1<sup>st</sup> week of every month.

In case, the petitioner makes an attempt to influence the witnesses, the prosecution is at

liberty to file an application for cancellation of bail.

The special leave petition stands disposed of. Pending application(s), if any, shall also stand disposed of.

(Geeta Ahuja)  
Court Master

(Anand Prakash)  
Court Master