

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-15700 of 2015
Date of Decision: 8.10.2015.**

Neeraj Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Anil Rana, Advocate for
Mr. Abhinav Gupta, Advocate
for the petitioner.

Mr. R.P.S.Sidhu, AAG, Punjab

SABINA, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No. 8 dated 17.1.2014 under Section 420, 465, 467, 468, 471 of the Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Civil Lines, Bathinda.

Prosecution story, in brief, is that petitioner had taken money from Ajay Kumar, Indersain, Harpreet Singh, Mandeep Singh and Parmdev for sending them abroad. However, the said persons were neither sent abroad nor the amount in question was returned to them.

Learned counsel for the petitioner has submitted that the charge has been framed against the petitioner under Section 420 IPC on 10.4.2015. Learned counsel has further submitted that so far as the allegation regarding handing over of fake visa and

tickets is concerned, charge has not been framed against the petitioner qua the said allegation. Charge has been only framed against the petitioner under Section 420 IPC. Petitioner is in custody since 28.5.2014 and conclusion of trial may take time.

Learned State counsel, on the other hand, has opposed the petition.

Keeping in view the fact that petitioner is in custody since 28.5.2014 and conclusion of trial may take time and the fact that the charge has been framed against the petitioner under Section 420 IPC and not qua the offence of forgery, it would be just and expedient to order the release of the petitioner on bail.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Bathinda.

**(SABINA)
JUDGE**

October 08, 2015
Gurpreet