

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

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CRM-M No.21931 of 2015.

Date of Decision: July 14, 2015.

Parmod Kumar

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.
Mr. A.S. Klar, Assistant Advocate General, Punjab.

SNEH PRASHAR, J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure (in short, "Cr.P.C.") for grant of concession of regular bail to the petitioner in case bearing First Information Report No.23 dated 24.04.2015 under Sections 420/465/467/468/471 of the Indian Penal Code (in short, "I.P.C.") and Section 25 of the Arms Act, registered at Police Station Sadar Rajpura, District Patiala.

The accusation against the petitioner in the First Information Report got registered by Assistant Sub Inspector Mohammad Nasim was that he and his co-accused Manoj Kumar, resident of V.P.O. Radori and Vishva alias Vishu, resident of village Kamalpur, District Yamuna Nagar, were habitual defrauders. Earlier they had allured Krishan Mehta, resident of village Gumthala, District Yamuna Nagar to instal Airtel mobile towers and had defrauded him of Rs.2,40,000/-. All three of them had since finalized a deal with Harjinder Singh son of Mangal Singh, resident of

village Chakkar, District Ludhiana, for getting him a Bharat Gas Agency for Rs.1 crore out of which they had taken Rs.60 lacs. On that day, they were going to Ludhiana for taking remaining Rs.40 lacs and for handing over the forged agency relating papers to Harjinder Singh.

After getting a case registered under Section 420 I.P.C. and 25(54) of the Arms Act, 1959, on the basis of the secret information received, Assistant Sub Inspector Mohammad Nasim effected a Nakabandi on main G.T. Road near village Uppal Hedi, Rajpura and intercepted the car in which the petitioner and his co-accused Manoj Kumar were travelling. Subsequently, Vishvajit alias Vishva was also arrested.

The submissions made by learned counsel representing the petitioner and learned counsel representing the State of Punjab have been considered.

The allegation in the First Information Report was that the petitioner and his co-accomplices were expected to defraud one Harjinder Singh of Ludhiana, from whom they had taken Rs.60 lacs promising to get him allotted a Bharat Gas Agency. The remaining amount of Rs.40 lacs was yet to be paid. Apparently, the allegation against the petitioner and his co-accused Manoj Sharma and Vishvajit alias Vishva were identical. The petitioner was also alleged to be in possession of a pistol. Vishvajit was allowed bail by learned Additional Sessions Judge, Patiala vide order dated 01.06.2015 whereas the applications of the petitioner and Manoj Sharma were dismissed.

The petitioner is in custody since 24.04.2015. Nothing remains to be recovered from him. Charge sheet is yet to be filed and thereafter the trial is also likely to take some time to complete whereas there appears no plausible ground to detain the petitioner in custody. As such, he is admitted to bail, subject to his furnishing bail/ surety bonds, to the satisfaction of Area Magistrate/Trial Court, Patiala.

(SNEH PRASHAR)
JUDGE

July 14, 2015
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