

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

CRM No.M-22807 OF 2015 (O&M)
DATE OF DECISION : 23rd JULY, 2015

Deepak Kumar Sharma

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. N. S. Dandiwal, Advocate for the petitioner.

Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab.

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SURINDER GUPTA, J. (ORAL)

This petition has been filed for grant of regular bail to the petitioner in case bearing FIR No.43 dated 08.04.2015 registered at Police Station City Baghapurana, District Moga for offences punishable under Section 420 IPC.

Heard.

Notice of motion.

On the asking of the Court, Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab, who is present in court, accepts notice and submits that intimation by Registry informing of fixation of the application has already been received and record of the case is available with him.

The FIR in this case was registered on the complaint of Major Singh son of Peshawar Singh, wherein he alleged that he had a deal with the accused named in the FIR which includes the petitioner and his mother. The deal for sending the complainant and his family to America, was settled for ₹21,00,000/-, out of which ₹13,00,000/- were paid but the complainant and his family was not sent abroad. Later on the passport of

the complainant and his family members along with ₹4,00,000/- were returned.

Learned State counsel submits that the petitioner was arrested in this case on 21.04.2015. After completion of the investigation the challan has been presented before the Court.

The co-accused namely Romesh Kumari Sharma has already been allowed anticipatory bail vide order dated 17.07.2015 passed in CRM-M-19946 of 2015. After presentation of challan it will take considerably long time to conclude the trial.

Keeping in view the above facts, but without commenting anything on merits of the case, the petition is allowed. Petitioner-Deepak Kumar Sharma is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the Trial Court/Duty Magistrate, Moga, subject to following terms:-

1. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
2. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh before the trial Court.
3. He shall not leave the country without previous permission of the Court.

23rd July, 2015
'raj'

(SURINDER GUPTA)
JUDGE