

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-29332 of 2015

Date of Decision: 08.09.2015

Chetan Chopra

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Ajay Tewari.

Present: Mr. Bhriugu Dutt Sharma, Advocate
for the petitioner(s).

Mr. Ashish Sanghi, Deputy Advocate
General, Punjab for the respondent.

Mr. Sandeep Arora, Advocate
for the complainant.

Ajay Tewari, J.

This petition has been filed for grant of regular bail to the petitioner in case FIR No. 61 dated 19.5.2015 registered under Sections 406, 420 & 120-B IPC read with Section 24 of the Emigration Act, 1983 IPC at Police Station Division No.3, Jalandhar.

Learned Deputy Advocate General has filed custody certificate of the petitioner today in the Court and the same is taken on record.

The allegations against the petitioner are that he has induced the complainant to part with ₹ 17,00,000/- to take him to America.

Learned counsel for the petitioner has argued that apart from the merits of the case, the petitioner has now been in custody for three months and ten days; the matter is triable by Magistrate and even the charge has not been framed.

On instructions from Assistant Sub Inspector Jagdish Singh, learned Deputy Advocate General has accepted these assertions. Learned counsel for the complainant has sought to argue that the petitioner is facing trial in two other similar cases and he should be directed to refund the money which he has taken from the complainant.

Be that as it may, without commenting upon merits of the case and keeping in view the period of custody undergone by the petitioner, I do not deem it appropriate to deny him the concession of bail. Thus, the present petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the trial Court/Duty Magistrate.

(Ajay Tewari)
Judge

September 8, 2015

"DK"