

CRM-M-3667-2015

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

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Date of Decision:06.07.2015

Ajay Kumar Chopra

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Sanjay Agnihotri and Mr. Gautam Dutt, Advocates,
for the petitioner.

Mr. S.S.Chandumajra, DAG, Punjab.

Mr. Sandeep Wadhawan, Advocate,
for the complainant.

Paramjeet Singh, J. (Oral)

Instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.220 dated 08.10.2014, registered at Police Station Bhikhiwind, District Tarn Taran, under Sections 420, 467, 468 and 471 of the Indian Penal Code.

I have heard learned counsel for the parties and perused the record.

Learned counsel for the petitioner contends that the petitioner has been wrongly implicated in the present case on the basis of oral version. The allegations levelled by complainant are not supported with any documentary evidence. The petitioner has been behind bars since

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29.11.2014 and is not required for custodial interrogation.

Per contra, learned State counsel assisted by learned counsel for complainant vehemently opposes the contentions of learned counsel for the petitioner on the ground that the petitioner will abscond and leave the country and prays for dismissal of the petition.

The Australian Government, Department of Immigration and Border Protection has submitted report that it is not a case of forged and fabricated visa document, rather it is only reported that transit visa was obtained by providing fraudulent information to the Department. It apparently appears that documents are not forged, but the information was fraudulently provided.

Taking into consideration the facts and circumstances of the case and the fact that trial would not be concluded in near future, the petitioner can be granted concession of bail.

Without expressing any opinion on merits of the case, the petition is allowed. Petitioner is ordered to be released on bail, on his furnishing bank guarantee of ₹20 lacs and surety of moveable property of ₹20 lacs, to the satisfaction of trial Court/Duty Magistrate, Tarn Taran. The petitioner is directed to furnish heavy surety for the reason that brother of petitioner is already absconding and there is likelihood of absconding of the petitioner as stated by learned State counsel assisted by learned counsel for the complainant.

06.07.2015
parveen kumar

(Paramjeet Singh)
Judge