

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

CRM M-37206 of 2015

Date of decision : 06.11.2015

Jasvir Kumar

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Amit Verma, Advocate for the petitioner.

Mr. R.S. Randhawa, Addl. A.G. Punjab.

RAJAN GUPTA J.

This is a petition filed under Section 439 Cr.P.C. seeking regular bail in a case registered against the petitioner vide FIR No. 37 dated 21.04.2015 under Sections 406 & 420 IPC at Police Station Mahilpur, district Hoshiarpur.

Allegation against the petitioner is that he took ₹6.50 lacs from the complainant promising him to send him to France. He, however, did not adhere to the promise. Admittedly, an amount of ₹3.00 lacs has been returned by the petitioner. According to learned counsel, petitioner is in custody since 30.08.2015 and case is triable by magistrate. Thus, no useful purpose would be served by detaining him in custody any longer.

Learned State counsel has opposed the prayer for bail on the ground that allegations against the petitioner are serious.

I have heard learned counsel for the parties.

Keeping in view the aforesaid contentions, period of incarceration of the petitioner and the fact that case is triable by

Magistrate, I am of the considered view that that no useful purpose would be served by detaining him in custody any longer. Without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner. Accordingly, petition is allowed and petitioner is ordered to be enlarged on bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Hoshiarpur.

November 06, 2015

Ajay

(RAJAN GUPTA)
JUDGE