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

CRM-M-41378 of 2015

Date of decision: December 22, 2015

Budh Raj alias Bodh Raj

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

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

Mr. R.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in FIR No.77 dated 15.09.2001, under Sections 420,120-B of Indian Penal Code, 1860, registered at Police Station Bhadaur, District Barnala.

Heard.

As per the prosecution case, petitioner had taken ₹4,00,000/- from the complainant for sending his son to a foreign country. However, son of the complainant was neither sent abroad nor the money paid by the complainant to the petitioner, was returned to him. Petitioner was declared a proclaimed offender. However, now, petitioner is in custody since 17.02.2014.

Keeping in view the fact that the petitioner is in custody since 17.02.2014, it would be just and expedient to order the release of the petitioner on bail.

Accordingly, without expressing any opinion on the merits of the case, this petition is allowed. Petitioner be admitted to bail subject to the satisfaction of Chief Judicial Magistrate, Barnala.

**(SABINA)
JUDGE**

December 22, 2015
mahavir