

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 204

Criminal Miscellaneous No.M-31435 of 2016 (O & M)
Date of Decision: October 03, 2016

Gurinder Pal Singh Kahlon

..... PETITIONER

VERSUS

State of Punjab

..... RESPONDENT

. . .

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

. . .

PRESENT: - Mr. Raj Kumar Gupta, Advocate, for the petitioner.

Mr. R.P.S. Sidhu, Assistant Advocate General, Punjab.

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Jaspal Singh, J

1. This is a petition preferred under Section 439 Cr.P.C. seeking bail in case FIR No.42 dated April 3, 2014 under Sections 420, 120-B IPC, registered at Police Station, Division No.2 Pathankot, District Gurdaspur.

2. Allegations against the petitioner are that while running a travel agency under the name of Eagle Career Consultants Private Limited, he alongwith his employees Gaurav Sharma and Lovepreet Kaur, duped Raman Kumar, Harpreet Singh, Gurpreet Singh and Bimaldeep of an amount of ₹ 17/18 lac on the false pretext of sending them firstly to Canada and then to Australia on work permits.

3. Learned counsel for the petitioner contends that petitioner is in custody since May 31, 2014. The case is triable by the Magistrate. Co-accused Lovepreet Kaur is already on bail. Petitioner undertakes to cooperate with the trial in case he is granted the concession of bail.

4. Learned counsel for the State has strongly opposed the petition contending that petitioner is guilty of committing serious offence. He alongwith his co-accused have extracted money from the complainant and others on the pretext of sending them abroad. Further, release of petitioner on bail can affect the trial adversely.

5. Undoubtedly, petitioner was arrested in this case on May 31, 2014. He was subjected to custodial interrogation and subsequently sent to judicial custody. Charge has already been framed and the case is at prosecution evidence stage. Disposal of trial is likely to take sufficient long time. In this view of the matter, this court is of the considered view that it is a fit case for grant of concession of bail to the petitioner.

6. Taking into consideration aforesaid aspects of the case and the fact that no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period, instant petition is allowed. Petitioner is ordered to be released on bail to the satisfaction of the trial court/Duty Magistrate.

October 03, 2016
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(Jaspal Singh)
Judge

Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No