

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

CRM-M No. 43114 of 2015 (O&M)

Date of Decision: 28.01.2016

Abhishek Kumar alias Chhotu

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jastej Singh, Advocate
for the petitioner.

Mr. Kuldip Tiwari, Addl. A.G., Haryana
for the respondent/State assisted by ASI Harish Dutt.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the petitioner in case FIR No. 305, dated 27.12.2014, for offences punishable under Sections 406 and 420 of the India Penal Code, registered at Police Station Chhappar, District Yamuna Nagar.

Allegations against the petitioner are that of having duped the complainant and one Satish for a sum of Rs. 5,30,000/- for sending them Cyprus on valid documents. The complainant and said Satish on arrival at the airport in Cyprus were arrested and deported.

Learned counsel for the petitioner submits that the petitioner is in custody since 11.10.2015 and the case is triable by a Magistrate.

Learned State Counsel, assisted by ASI Harish Dutt, does not refute the aforesaid factual contention and further concedes that after completion of the investigation, challan has been presented and the case is now fixed for commencement of prosecution evidence.

Without commenting on the merits of the case, keeping in view the custody period of the petitioner and the fact that the trial is not likely to be concluded in near future, moreso, when the case is triable by a Magistrate, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

January 28, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE