

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

CRM-M-10735 of 2017

Date of Decision: April 07, 2017

Gurbinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Gurinder Singh Hayer, Advocate
for the petitioner.

Mr. Gurinderjeet Singh, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this regular bail application under Section 439 Cr.P.C are that the petitioner along with his co-accused on the fraudulent pretext of sending the complainant to Canada took Rs.12 lacs and instead he was sent to Indonesia from where he was sent back.

The contentions of the learned counsel for the petitioner that the petitioner is behind the bars since 4.12.2016 and no specific role has been attributed to him of having duped the complainant and the present case has been got registered after 02 years of the alleged incident when admittedly the complainant accepts that he has resided in Indonesia for 08 months.

Though, the bail application is opposed by the learned State counsel on the grounds of seriousness of allegations and heinousness

of offences, whereby, it is submitted that the petitioner is habitual to such frauds.

Appreciating the submissions, it is well elicited that the petitioner had accompanied the accused to Indonesia where they took the money and passport but the State counsel could not convince the Court by any documentary means to support these contentions. The inordinate delay after which the FIR has been lodged and the fact that the petitioner is behind the bars since long time and that the trial is not likely to be concluded in near future and culpability, if any, shall be determined at the time of trial and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

April 07, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No