

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23827 of 2017
Date of Decision: 11.08.2017

Jai Pal Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ranjan Lakhanpal, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.197 dated 21.10.2011 registered for the offence punishable under Section 420 read with Section 120-B of Indian Penal Code (for short, "IPC") at Police Station Shimlapuri, District Ludhiana.

Heard.

Allegation against the petitioner is that he and his co-accused Bablu were paid ₹18 lacs for sending and settling the son of complainant abroad. However, he was neither sent abroad nor the money was returned. The payment was made in the year 2007 and matter was reported to the police in the year 2011. The petitioner, who was initially declared proclaimed offender, was arrested on 21.09.2016 and is in custody since then.

Learned State counsel submits that after completion of investigation, police has presented the challan and the case is still at the

initial stage of trial.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Jai Pal Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

August 11, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No