

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

**Crl. Misc. No.M-18726 of 2018 (O&M)
Date of Decision: May 17, 2018**

Vijay Kumar

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amit Dhawan, Advocate
for the petitioner (s).

Ms. Monika Jalota, D.A.G. 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. 116 dated 25.08.2017 registered for the offences punishable under Sections 406 and 420 of Indian Penal Code, at Police Station Bilga, District Jalandhar.

Heard.

Notice of motion.

On asking of the court, Ms. Monika Jalota, D.A.G. Punjab, who is present in the Court accepts notice and submits that record of the case is available with her.

Learned counsel for the petitioner submits that as per the

allegations in the complaint, complainant had a deal with Aman son of

Madan Lal for sending and settling him in New Zealand. The deal was settled for ₹11 lakhs and payments were also made to Aman and Preeti. The petitioner is father-in-law of Aman and has been falsely implicated.

Learned State counsel submits that investigation against the petitioner is completed and challan against him has been presented on 07.05.2018. Other two accused named in this case have not been arrested so far and are absconding.

Petitioner is in custody since 13.03.2018. Keeping in view the fact that other co-accused have not been arrested so far and conclusion of trial will take considerably long time, but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Vijay Kumar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

May 17, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No