

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-23242 of 2018
Date of Decision: 01.06.2018

Parkash Chand

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Siddharth Sharma, Advocate
for the petitioner.

Mr. Amandeep Singh Gill, Sr. 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.17 dated 24.01.2018 registered for the offence punishable under Section 420 of Indian Penal Code (for short, "IPC") at Police Station City Kapurthala, District Kapurthala.

Heard.

As per allegations in the FIR, complainant entered into bargain with Makhan Singh son of petitioner for sending him to Canada. He made payment of ₹48,50,000/- to Makhan Singh on this score but visa and work permit provided to him were found to be not valid.

Learned State counsel submits that complainant was taken to Georgia twice but from there he was sent back as his travel documents were not in order. However, investigation in this case is still in progress to verify as to whether visa and work permit were fake.

The petitioner is father of Makhan Singh. Allegation against

him is that it was at his instance that complainant had dealt with Makhan Singh. He is in custody since 05.04.2018. At this stage, there is no evidence that he is also in the business of travel agency.

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-Parkash Chand 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

June 01, 2018
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No