

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

CRM-M-43586 of 2017

Date of Decision: May 30, 2018

Amar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. R.S. Chahal, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

FATEH DEEP SINGH, J.

The allegations against the petitioner-Amar Singh in this second regular bail application under Section 439 Cr.P.C are that in September 2016, the petitioner has enticed and on fraudulent pretext duped the complainant Balkar Singh for migration of his son Jobanjit Singh to USA for which the accused alleged to have taken Rs.3 lacs, who neither was able to send him abroad nor returned the money.

The contentions raised by learned counsel for the petitioner is that the petitioner is behind the bars since more than one year and that the case is triable by Magistrate and has already undergone substantial period of incarceration.

Learned State counsel has opposed the grant of bail to the petitioner on the grounds of heinousness of offence and seriousness of

allegations.

Appreciating the submissions of the two sides and keeping in view that the petitioner has already undergone substantial period of incarceration of more than 13 months and that the trial is not likely to be concluded in near future and no useful purpose would be served by keeping the petitioner behind the bars, culpability, if any, shall be determined at the time of trial, 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

May 30, 2018
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No