

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

**CRM-M-55993-2018
Date of decision: 21.12.2018**

Lakhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vinay Kumar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 186 dated 20.09.2018, registered under Sections 420, 406, 342, 365, 384, 506 and 120-B of the IPC at Police Station City Phagwara, District Kapurthala.

Learned counsel for the petitioner submits that as per the allegations in the FIR, the complainant has given certain amount to the petitioner for sending his younger brother to Canada, however, her brother was sent to Nepal instead.

Learned counsel for the petitioner further submits that petitioner is a first offender and he is in judicial custody for the last 02 months and 24 days and challan has been presented.

Learned counsel for the petitioner further submits that one of the co-accused, namely Amandeep Kaur @ Aman Madam @ Amritpal Kaur, has already been granted concession of regular bail, vide order dated

11.12.2018, passed by this Court in CRM-M-53953-2018, on the basis of the compromise with the complainant.

Learned State counsel, on instructions from ASI Gurdial Singh and on the basis of the custody certificate, filed in Court today, has not disputed the factual position.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last 02 months and 24 days; he is a first offender; co-accused has already been released on regular bail and also in view of the fact that conclusion of the trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

December 21, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No