

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20881-2019
Date of decision: 13.05.2019

Ajay Dhawan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.P. Dhir, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.152 dated 08.10.2017 under Sections 406, 420 IPC, registered at Police Station Mukerian, District Hoshiarpur.

Learned counsel for the petitioner submits that the petitioner is first offender, he is not involved in any other case and is in custody since 07.02.2019. It is further submitted that the only allegation against the petitioner is that he along with main accused Narotam Singh Saini and Alka had taken Rs.5,000/- each as visa fees from the complainant. Learned counsel has referred to the FIR, where it is stated that on 17.03.2007, an amount of Rs.5,000/- was received by Narotam Singh Saini and Alka from the complainant in the presence of three persons. It is thus argued that except the allegation of payment of Rs.5,000/- as visa fee, there is no direct allegation against the petitioner. It is

also submitted that the investigation is complete; offences are triable by the Court of Magistrate and it will take some time in conclusion of the trial.

Learned State counsel has filed the custody certificate dated 10.05.2019 in the Court today and on instructions from ASI Dilbagh Singh, has not disputed the factual position, however, submitted that the petitioner was declared a proclaimed offender. It is further submitted that main accused Narotam Singh Saini, Arun Kumar and Sanjay Bhola @ Khabbra stand arrested.

Without commenting anything further on merits of the case, considering the submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail bond and two sureties, to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

13.05.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No