

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34544 of 2019

Date of Decision: 29.08.2019

Parbhjot Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Verma, Advocate
for the petitioner.

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. 26 dated 23.03.2019 registered for offences punishable under Sections 420 and 406 of Indian Penal Code (for short, "IPC") at Police Station Sherpur, District Sangrur.

Heard.

Notice of motion.

On asking of the court, Mr. Rakeshinder Singh Sidhu, A.A.G. Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Mr. C.S. Jattana, Advocate has put in appearance on behalf of complainant and has filed power of attorney.

As per allegations in the FIR, petitioner by giving allurements to send and settle son of the complainant in America settled a deal for ₹25

lakhs with him and received ₹16 lakhs out of which ₹8 lakhs were paid to

him in cash and ₹8 lakhs were deposited in his bank account bearing no. 916010022839735.

Learned counsel for the petitioner submits that the petitioner was arrested on 23.04.2019 and after completion of investigation challan against him has been presented in Court.

Learned counsel for complainant submits that the police has also committed hanky-panky in this case. 5000 US Dollars were recovered from the petitioner when he was arrested but in the recovery memo, recovery of ₹5000/- Indian currency has been shown instead of actual recovery.

Without expressing any opinion on merits of the case and keeping in view the fact that challan against the petitioner has been filed and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Parbhjot Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

Senior Superintendent of Police, Sangrur is directed to look into and verify the submissions of learned counsel for complainant regarding recovery of 5000 US dollars from the petitioner when he was arrested, conduct an enquiry in the matter and take appropriate action in accordance with law.

August 29, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No