

S.No.220

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

CRM-M-46332 of 2019 (O&M)

Date of Decision:09.12.2019

Aman AdhowaliaPetitioner

Vs.

State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Ms. Jasneet Mehra, Advocate for the petitioner.

Mrs. Amarjit Kaur Khurana, DAG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.157 dated 05.10.2018 registered under Section 420 IPC at Police Station Nangal.

It is contended by counsel for the petitioner that the case against the petitioner is false. Even as per the case of the prosecution, the allegation against the petitioner is that he had taken a total amount of Rs.3.5 lakhs from three persons for ensuring visa of Malaysia for their sons. Still further, it is not even disputed by the complainant that the sons of two of the said persons had even gone to Malaysia. Therefore, there is no offence committed by the petitioner. It is further submitted that the petitioner is in custody since 06.05.2019. The challan has already been filed. Therefore, the petitioner is not required for any investigation purposes.

On the other hand, learned State Counsel, submits that the petitioner cheated three persons in the name of sending them to Malaysia. However, it is not disputed that the challan has already been filed in this case and that the petitioner is in custody since 06.05.2019.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

December 09, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No