

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

**CRM-M No.2817 of 2020
Date of decision: 13.03.2020**

Mohan Lal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. R.K. Kapila, 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 to the petitioner in FIR No.65 dated 01.06.2018 registered under Sections 420 IPC and 13 of the Punjab Travel Professionals Regulation Act, 2013 at Police Station Bullowal, District Hoshiarpur.

Counsel for the petitioner has argued that the petitioner is in custody since 10.12.2019 and the challan has already been presented on 24.02.2019.

Counsel for the petitioner has further submitted that as per the allegations in the FIR, the co-accused – Gurnam Chand, has allegedly paid Rs.1 lac to the petitioner and to show his *bona fide*, the petitioner is ready to deposit the amount of Rs.1 lacs with the Illaqa Magistrate without prejudice to his right of defence.

Counsel for the petitioner has further argued that the co-accused of the petitioner has already been granted the concession of anticipatory bail by this Court vide order dated 03.08.2018 passed in CRM-M No.31583 of 2018. It is also submitted that the primary

allegations are against the co-accused Gurnam Chand that he has received a sum of Rs.9 lacs.

Counsel for the State, on instructions from ASI Rajinder Singh, has submitted that the petitioner was declared as proclaimed offender and thereafter, he was arrested later on, however, it is not disputed that the petitioner is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 10.12.2019; challan stands presented; the co-accused of the petitioner has already been granted the concession of anticipatory bail and the conclusion of the trial will take long time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate and on deposit of Rs.1 lac before the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

The amount so deposited will be kept in an FDRs subject to final outcome of the case and without prejudice to the right of the petitioner to take all the available pleas/defences during the course of trial.

(ARVIND SINGH SANGWAN)
JUDGE

13.03.2020
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No