

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CRM-M-12411-2020

Date of decision: 22.05.2020

Craig Pitt

....Petitioner

versus

State of Punjab

....Respondent

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, Deputy AG, Punjab.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Petitioner-Craig Pitt has filed the present petition *inter alia* with a prayer to grant him regular bail in case FIR No.115 dated 21.10.2019 under Sections 420 & 120-B of Indian Penal Code, registered at Police Station Payal, Police District Khanna, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.03.2020. He submits that the only agreement that was entered into between the petitioner and complainant is at Annexure P-2 to the effect that he was to help the complainant in completing documents. He further submits that in pursuance to the said agreement an amount of Rs.1,16,000/- was received by the petitioner (however because of

typographical error that has been wrongly recorded as Rs.1,60,000/- in the previous order dated 15.05.2020, passed by this court). He further submits that the petitioner has already deposited Rs.2,00,000/- in account of the complainant in order to show his bonafides and compromise the matter.

Learned counsel for the State however submits that the petitioner is a Canadian citizen. It was on his asking that the complainant had deposited Rs.13,82,000/- in account of the Canadian Firm/Individual in Canada.

Learned counsel submits and accordingly this Court directs that the petitioner shall give an undertaking and assurance in writing before the Duty Magistrate/trial Court that within two months from the date of said undertaking, he shall make all efforts to ensure that the said amount deposited in account of Canadian Firm/Individual in Canada, is completely returned or substantially returned to the complainant. He further undertakes that he shall give an undertaking in writing before the Duty Magistrate/trial Court that he shall surrender his passport and would undertake not to leave the country without prior permission of the trial Court.

At this stage, learned State counsel points out that the petitioner had surrendered a passport which had expiry date of the year 2017. He therefore submits and is so ordered by this Court that the petitioner shall either surrender new passport or give an undertaking that he does not hold any other passport other than one surrendered.

Learned counsel for the petitioner also submits that due to COVID-19 situation, it is not safe to continue staying in judicial custody.

In view of the above, this Court deems it appropriate to release the petitioner on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned. However, it is made clear that anything observed herein shall not be construed as an expression on merits of the case.

The petition stands disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

22.05.2020
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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No