

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

204A

CRM-M-13270-2020

Date of Decision : June 16, 2020

SUKHWINDER SINGH @ NIKKA

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Jasraj Singh, Advocate
for the petitioner.

Mr. H.S.Grewal, DAG, Punjab.

Mr. Arun Takki, Advocate
for the complainant.

NIRMALJIT KAUR, J. (Oral)

The prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.172 dated 8.11.2017 under Sections 406, 420 of IPC and Section 24 of the Immigration Act, Police Station Mukerian, District Hoshiarpur.

Learned counsel for the petitioner while praying for bail submitted that only the charge has been framed only under Section 420 IPC and even the entire amount of money taken from the complainant has since been returned. The compromise is also on record.

Learned counsel for the complainant while opposing the bail application submitted that the said compromise was prior to the registration of the FIR. The boys are still missing which is serious and infact the petitioner is indulging in human trafficking.

Heard.

The compromise and the fact that the amount received from the complainant has been returned, is not disputed. Learned counsel for the petitioner took this Court through the enquiry report. The same speaks for itself. Infact, as per the said enquiry, no evidence of any kind of inducement, allurement or deceiving or cheating etc. has come forward. Even otherwise, the charge has been framed only under Section 420 IPC. The petitioner is in custody since the last eight months.

In view of the above, the present petition is allowed. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

However, this Court has no doubt that the petitioner shall co-operate in every way to locate the missing boys.

June 16, 2020
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(NIRMALJIT KAUR)
JUDGE

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