

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14563-2020 (O&M)
Date of decision: 29.07.2020

Tarsem Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.S. Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.46 dated 12.07.2019 under Sections 420, 120-B IPC and Section 13 of Punjab Prevention of Human Smuggling Act, registered at Police Station Mehal Kalan, District Barnala.

Learned counsel for the petitioner submits that as per allegations in the FIR, the complainant was sent to Armenia by co-accused Ramandeep Singh. It is further stated that when the complainant could not find a job there, he returned back and in that process, the petitioner and other accused have cheated him. It is further submitted that co-accused of the petitioner Harbans Kaur wife

of Pritam Singh and Rani wife of Harnek Singh have already deposited Rs.30,000/- and Rs.70,000/- respectively, by way of bank draft, which have been handed over to the complainant and both these co-accused have been granted the concession of anticipatory bail vide order dated 18.12.2019 passed in CRM-M-50311-2019.

Learned counsel for the petitioner further submits that though there is no direct allegation against the petitioner, just to show his bonafide, he is ready to deposit Rs.1.00 lac with the Illaqa Magistrate/trial Court, to be kept in an FDR, without prejudice to his right of defence.

Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner is involved in two more FIRs of similar nature. It is further submitted that challan has already been presented and it will take some time in conclusion of the trial. Learned State counsel further submits that the petitioner was arrested on 27.01.2020 and challan was presented on 14.04.2020.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last six months; he has volunteered to deposit Rs.1.00 lacs and is no more required for further investigation, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

This will, however, be subject to the condition that the petitioner will deposit Rs.1.00 lac with the Illaqa Magistrate/trial Court, which will be kept in an FDR, fetching higher rate of interest. Deposit of the amount shall not

prejudice the right of defence of the petitioner and will be subject to final outcome of the trial.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

29.07.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No