

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

208

**CRM-M-17143-2020
Date of decision: 20.07.2020**

Arvind Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Vinay Kumar Gupta, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab
for the respondent-State.

Mr. Anoop Singla, Advocate
for the complainant.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No. 140 dated 19.08.2019 registered under Sections 420 and 120-B of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station City Kotkapura, District Faridkot.

The above said FIR was lodged by complainant-Prem Kumar alleging that in the first week of June 2019, accused Deepinder Singh represented to the complainant to send him along with his wife to Canada and demanded amount of Rs.21,50,000/- and took passport of the complainant and his wife along with other documents. The complainant paid amount of Rs. 2,50,000/- to Deepinder Singh, Arvind Singh (petitioner) and Amandeep Kaur collectively on 21.06.2019 and

thereafter paid amount of Rs. 50,000/- to them on 13.07.2019. Accused Deepinder Singh and Amandeep Kaur came to the house of complainant on 14.07.2019 and took amount of Rs. 11,50,000/- from him. On 15.07.2019 Arvind Singh father of co-accused Deepinder Singh received amount of Rs. 80,000/- from him. The accused dishonestly induced the complainant to pay total amount of Rs. 15,30,000/- but did not send him and his wife abroad. When the complainant demanded the return of amount from the family members of Deepinder Singh, they threatened to kill him.

The petitioner who is in custody since 17.02.2020 has filed the present petition for grant of regular bail.

The petition has been opposed by the learned State counsel and learned counsel for the complainant. However, no reply has been filed.

I have heard learned counsel for the petitioner, learned State counsel and learned counsel for the complainant and gone through the record.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated. There is no specific role attributed to him. The petitioner did not make any fraudulent representation or dishonest inducement to the complainant and did not receive any amount from him. Co-accused Rupinder Singh Sandhu @ Mani Singh has already been granted regular bail by this Court vide order dated 11.06.2020. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody.

Therefore, the petitioner may be granted regular bail.

On the other hand learned State counsel and learned counsel for the complainant have argued that the petitioner along with his co-accused made fraudulent representation to the complainant and dishonestly induced him to pay amount of Rs. 15,30000/-. In view of the gravity of the accusation, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, period of his custody, parity of case of the petitioner with that of his similarly placed co-accused Rupinder Singh Sandhu @ Mani Singh who has been granted bail by this Court vide order dated 11.06.2020 and also the fact that the trial is likely to take long time but without commenting on merits of the case, I am of the considered view that the concession of regular bail be extended to the petitioner.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

20.07.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No