

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

**CRM-M No.19278 of 2020
Date of decision:06.08.2020**

Amarjit Singh Riar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Bikramjit Singh Randhawa, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

SUVIR SEHGAL J. (ORAL)

This matter has been taken up for hearing through video conferencing due to Covid-19 Pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.99, dated 19.05.2018 registered under Sections 465, 467, 468, 471, 120-B of Indian Penal Code and Section 13 of Punjab Prevention of Human Smuggling Act, 2012/ Punjab Travel Professional Regulation Act, 2014 at Police Station City Moga, District Moga.

Counsel for the petitioner has submitted that the FIR was registered on the basis of a complaint received from Principal, Canadian Higher Learning Academy wherein it was alleged that Charanjit Gill was

using their logo and letter head to lure gullible public to migrate to Canada and had defrauded numerous persons on the basis of the old programme offered by the academy. According to the counsel, the petitioner was not named in the complaint. During the probe, investigating agency found that one Simran Kaur, who was an employee of travel agency, had sent passports and e-mails to the petitioner to get offer letters from him. However, counsel argues that Simran Kaur failed to produce any record of the same. He submits that said Simran Kaur has been granted regular bail by this Court in CRM-M-11987-2020, ***Simran Kaur @ Simmi Nishchal Vs. State of Punjab***, decided on 12.05.2020 (Annexure P-3). He has placed reliance on the order dated 24.04.2019 passed in CRM-M-34237 of 2018, ***Charanjit Singh Vs. State of Punjab***, Annexure P-2, whereby anticipatory bail granted to Charanjit Singh, the main accused, was made absolute by this Court. He submits that the petitioner was arrested on 16.08.2019 and is behind bars since then.

State counsel, upon instructions of ASI Ashok Kumar has submitted that the allegations against the petitioner are that he was forging the documents of the said academy and deceiving young persons to apply for visa on payment of huge money. As per his instructions, the challan was filed on 01.11.2019 and the charges were framed on 25.11.2019, however, out of 22 prosecution witnesses none has been examined so far.

I have considered the rival submissions.

Keeping in view the fact that the petitioner is in incarceration for almost one year and the trial is likely to take sometime to conclude, no useful purpose will be served by keeping the petitioner behind bars

any further. Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate.

06.08.2020
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No