

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

CRM M-19119 of 2020 (O&M)

Date of Decision: August 27, 2020

Bikramjit Singh

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Gopal Singh Nahel, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

Ms. Rahish Pahwa, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

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

Petitioner Bikramjit Singh who is in custody has
come up before this Court in this first regular bail application
moved under Section 439 Cr.P.C. in FIR No. 103 dated

20.08.2016 registered under Section 420 of IPC and Section 13 of Prevention of Human Smuggling Act, 2012 registered at Police Station Kotwali Nabha, District Patiala.

The present case was got registered on the statement of Gurpreet Singh complainant alleging that the accused/petitioner Bikramjit Singh alongwith co-accused-non-applicant Mohammad Hanif on fraudulent pretext of sending the son of the complainant abroad had managed to fleece him of Rs.7,51,000/-. It is contended that in stead of sending the son to Australia on study visa, the accused had in fact sent him on tourist visa to Bangkok and, thus, the present case was registered.

Learned counsel for the petitioner *inter alia* contends that petitioner has paid the monetary benefit received from this transaction and has placed on the record affidavit of complainant Annexure P-2 of the complainant to this effect, where, as per the contention of learned counsel for the petitioner, a sum of Rs. 2,90,000/- stands paid.

On behalf of the State Mr. J.S. Ghumman, DAG, Punjab does not displace the facts including having received the amount in question but has opposed the bail that the remaining amount is yet to be received.

Keeping in view the compromise that has been arrived at between the parties by way of Annexure P-2 and fairly conceded by Ms. Rahish Pahwa, counsel for the complainant

that that the complainant has settled the dispute and received amount from the petitioner and, thus, in the light of the same and without adverting on to the merits of the case and considering that co-accused has already been allowed anticipatory bail vide order dated 14.11.2017 passed by this Court, this Court deems it appropriate to allow the bail application. Accordingly, the petitioner is ordered to be released 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 of opinion on the merits of the case.

Disposed off accordingly.

August 27, 2020

amit rana

(FATEH DEEP SINGH)**JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No