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

CRM-M No. 32151 of 2020
Date of Decision: 26.10.2020

Harpreet Singh @ Lokesh

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Arun Gupta, Advocate, for
Mr. Harjot Singh Mann, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, D.A.G., Punjab.

RAJ MOHAN SINGH, J. (ORAL)

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

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.308 dated 24.12.2016 under Sections 420, 120-B IPC registered at Police Station City Faridkot.

FIR was registered on the complaint of Sukhveer Singh for taking action against Jobanjeet Singh, Jodha Singh, Mukhtiar Singh, Prem Singh Fauji, Makhan Singh, Narinder Singh, Raj Singh, Simaranjit Kaur and the petitioner on the allegations of sending him to New Zealand on work permit visa.

The accused told the complainant to arrange money to the tune of Rs.5 lacs for preparing the documents and further apprised him that Jobanjeet Singh along with his group companions would come to Faridkot. In March, 2015, said Jobanjeet Singh along with others including the petitioner visited Faridkot and met the complainant and others at Old Bus Stand, Faridkot. An amount of Rs.4.5 lacs was handed over to Jobanjeet Singh. All the accused were involved in counting the money and also in taking photostat copies of Certificates, i.e. Ration Card, Aadhar Card and Passport with photographs of the complainant. They further assured the complainant that his visa would be ready very soon. Accused Jobanjeet Singh called the complainant at Delhi twice. The complainant deposited an amount of Rs.6 lacs in the account of Jobanjeet Singh and further deposited different amounts on different dates in the account of Jobanjeet Singh and Raj Singh on the demand of said Jobanjeet Singh. Thereafter, Jobanjeet Singh told the complainant that visa of New Zealand has been stopped for the time being and in the meanwhile, they will get some job for him. They called the complainant at Calcutta and thereafter, complainant received a call from Jobanjeet Singh that he had cleared the exam and asked him to deposit an amount of Rs.2.5 lacs in the account of Makhan Singh. The complainant

deposited the said amount on 10.06.2015. The complainant was called at Calcutta and the accused showed him the appointment letter. On their asking, complainant deposited an amount of Rs.1.5 lacs in the account of Jobanjeet Singh. Complainant further deposited an amount of Rs.1.40 lacs in the account of his uncle on the asking of Jobanjeet Singh. He also deposited Rs.3 lacs and Rs.1 lac in the account of Simranjit Kaur. When the complainant was called for training, Jobanjeet Singh again demanded Rs.1.5 lacs which was paid to him, Narinder Singh and others including the petitioner. Later on, the complainant came to know about the cheating and forgery committed with him.

Learned counsel for the petitioner submits that the petitioner is in custody since 08.06.2019.

Offence is triable by Magistrate.

Co-accused have already been granted bail in this case.

Learned counsel for the petitioner places reliance upon **CRM-M No.48234 of 2019** titled "Simranjit Kaur @ Manjit Kaur vs State of Punjab".

Learned State counsel on instructions submits that the petitioner is having antecedent behaviour of criminal activity and he is in custody in three more cases.

Challan has already been presented. Charges have also been framed, but no prosecution witness has been examined so far.

Be that as it may, keeping in view the custody of the petitioner since 08.06.2019, the situation arising out of pandemic COVID-19 and without meaning anything on the merits of the case, the petition is allowed. Petitioner is directed to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

26.10.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No