

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

CRM M-22641 of 2020 (O&M)

Date of Decision: August 18, 2020

Balbir Singh Dhillon

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Veneet Sharma, Advocate
for the petitioner.

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

FATEH DEEP SINGH, J. (Oral)

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

Petitioner Balbir Singh Dhillon in this first regular bail application moved under Section 439 Cr.P.C. in FIR No. 13 of the Punjab Travel Professional (Regulation) Act, 2014 (hereinafter to be referred as 'the Act') registered at Police Station Chheharata, Amritsar City, District Amritsar.

The present case was got registered on the

complaint of one Kuldip Singh. The brief allegations were that the accused in the year 2018 had duped five boys of Rs.3,55,000/- on the pretext of sending them abroad leading to the registration of the present FIR.

Mr. Veneet Sharma, learned counsel for the petitioner *inter alia* contends that the very findings of the investigations, whereby, attention of the Court has been drawn to the contents of the FIR at page No. 15 that visas so granted were legal and valid and so were the air tickets to drive home the point that the petitioner was not at fault. It is contended that the only criminal act attributed to the petitioner that he was not a licensed travel agent and has, thus, violated the provisions of the Act and that he is in custody since a long time.

The counsel has made statement that the petitioner is ready to deposit the amount of Rs.3,55,000/- in the Court.

Mr. J.S. Ghumman, DAG, Punjab learned State counsel concedes to the fact and has opposed the bail but does not dispute that if the amount is deposited, the petitioner be released on bail.

Be so as it may, the petitioner is in custody since 24.07.2020 and in view of the prevalent COVID-19 Pandemic situation, proceedings before the Court are not likely to be facilitated. It would subserve the ends of justice, if the petitioner is allowed regular bail. In view of the same, the present application is allowed. Accordingly, the petitioner is ordered to

be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to the rider that he will deposit the amount of Rs.3,55,000/- prior to the release, which would only be disbursed after the final decision of the Court passed in this regard.

In the meanwhile, the amount of Rs.3,55,000/- so deposited by the petitioner shall be kept in FDR in the name of the Court fetching maximum rate of interest.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off accordingly.

August 18, 2020

(FATEH DEEP SINGH)

amit rana

JUDGE

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