

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23462-2020
Date of Decision: 23.09.2020

Amarjit Singh

... Petitioner

v/s

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

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

Mr. Mehardeep Singh Dullat, Addl. AG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

The petitioner has prayed for grant of regular bail in case FIR No.46 dated 13.4.2019, under Sections 420/406/120-B IPC and Section 24 of Immigration Act, 1983 registered at Police Station Mukerian District Hoshiarpur.

It has been contended by learned counsel for the petitioner that the case has been registered on the allegations that co-accused of the petitioner had deceitfully obtained an amount to the tune of Rs.2,70,000/- from the complainant for the purpose of sending his brother to Spain. Instead Balwinder Singh, the brother of the complainant was sent to Ukraine and a sum of \$ Two Thousand (approximately Rs. One Lakh and Fifty Thousand only) were snatched from him by the petitioner.

It has been further stated that co-accused Nishchal Simmi @ Simmi Nishchal has already been granted regular bail by the Co-ordinate Bench of this Court after she had undergone incarceration for about 4-1/2 months. Moreover, no deception was played by the petitioner and false allegations with regard to snatching in Ukraine have been levelled against him. It has further been stated that challan has already been presented and the conclusion of trial is likely to take some time.

Learned State counsel has not disputed the factual aspect of the matter but has stated that the petitioner is also involved in two other cases of similar nature.

It may be mentioned here that in the case bearing FIR No. 99 dated 19.5.2018, registered at Police Station City Moga, the petitioner has been granted bail by the Co-ordinate Bench of this Court in terms of the order dated 6.8.2020 passed in CRM-M-19278-2020. As per the custody certificate, in the other case petitioner is stated to be on bail and he has not been convicted in any other case.

Petitioner is in custody in the instant case for the last more than one year and four months. The offences are triable by the Judicial Magistrate First Class, investigation of the case is complete, the challan has already been presented in the Court and the conclusion of trial is likely to take some time. Moreover, Nishchal Simmi @ Simmi Nishchal, co-accused has already been granted regular bail by the Co-ordinate Bench of this Court in the instant case. In such circumstances, no fruitful purpose would be served by detaining the petitioner in custody.

Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

23.09.2020

Janki

**(VIVEK PURI)
JUDGE**

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