

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M-26021-2020

Date of Decision: September 08, 2020

Gurinderjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Balbir Singh Jaswal, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.96 dated 11.04.2020, under Section 420 IPC and Section 13 Punjab Travel Professionals (Regulations) Act, 2014, registered at Police Station, Beas, District Amritsar. The petitioner is in custody since his arrest on 15.06.2020.

As per the allegations in the FIR, complainant approached Gurinderjit Singh and Rajwant Kaur travel agents for sending his son Sukhdip Singh to Canada. They had demanded Rs.15.00 lacs from him for the said purpose. In January, 2019, the complainant went to their office and gave them residential proof and photos of his son along with a sum of Rs.1.00 lac in cash to Gurinderjit Singh in the presence of Dhanwant Singh.

The amount was kept by Rajwant Kaur in her purse and the accused told the

complainant that the work visa would be arranged within eight months. On 20.02.2019, accused Gurinderjit Singh told that Rs.8.00 lacs was immediately required for putting the file in the Embassy. On 25.02.2019, the complainant withdrew Rs.8.00 lacs from his bank account and handed over to Gurinderjit Singh and his wife Rajwant Kaur. They assured the complainant that the work permit visa would be arranged shortly, but the needful was not done. The complainant demanded his money. On 15.11.2019, Gurinderjit Singh gave three cheques of Rs.1.00 lac each, which were not encashed. The accused had also extended threats to the complainant. On these broad allegations, the above FIR was registered.

Learned counsel for the petitioner contends that the offences are triable by Magistrate and the investigation of the case is complete, therefore, the further custody of the petitioner may not be necessary.

On the other hand, learned State counsel assisted by ASI Charan Singh does not dispute this fact and states that the final report stands filed on 14.08.2020.

Considering the above background, custody of the petitioner and the fact that the trial is likely to consume considerable time to conclude as the country continues to be in the throes of global pandemic, namely, COVID-19 and the State Government and District Administration have also imposed various restrictions to curb its spread, this Court does not find any reason to decline the prayer. The petitioner after his arrest on 15.06.2020, is presently confined in judicial custody, therefore, his further detention behind the bars may not be justified.

Resultantly, without meaning 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 trial Court/Duty Magistrate, Amritsar.

The petition is allowed.

September 08, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No