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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-26487 of 2020
Date of Decision: September 28, 2020

Makhan Singh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vinod Ghai, Sr. Advocate with
Ms. Kanika Ahuja, Advocate for the petitioner

Mr. Munish Sharma, AAG Haryana

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Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 255 dated 19.06.2019 registered under Sections 406, 420 IPC (Sections 419, 467, 468, 370, 120-B IPC, Section 24 of Immigration Act and Section 12 of Passport Act added later on) at Police Station Baldev Nagar, District Ambala.

Learned senior counsel for the petitioner argues that the petitioner has been in custody for almost two months. The matter has been compromised and co-accused Surender Singh @ Chhinda has been granted interim bail by this Court vide order dated 16.09.2020 passed in CRM-M-28025-2020. It is, thus, evident that the petitioner has been falsely implicated and he deserves to be granted regular bail.

Custody certificate dated 27.09.2020 has been presented in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 1 month and 28 days and there is one other criminal case pending against him in which he is on bail.

Learned State counsel on instructions from Inspector Sunil Kumar submits that the custody certificate reflects only the case in which the petitioner

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was arrested. He is instructed to submit that there are 13 other similar cases pending against the petitioner in which he is on anticipatory bail in some cases and in some cases he is yet to be arrested.

Learned senior counsel in response submits that the matter has been settled in all the pending cases and the petitioner has been granted anticipatory bail therein. His case is similar to that of Surender Singh @ Chhinda to whom interim bail has been granted by this Court and, thus, no useful purpose would be served by keeping the petitioner in custody indefinitely.

A perusal of order dated 16.09.2020 passed in CRM-M-28025-2020 in the case of co-accused Surender Singh @ Chhinda, shows that in the other pending criminal cases the matter has been settled with the complainants therein and the petitioner has been granted anticipatory bail. It appears that a large number of complaints are filed against Surender Singh @ Chhinda (co-accused and brother of the petitioner) as he is a travel agent and has sent persons abroad, who have illegally attempted to enter United States and have been arrested. On being deported they have tried to recover the money paid for tickets. All these matters have been settled and even in this case a settlement has been reached and, thus, it appears that various criminal cases have been registered only for the purpose of getting refunds and the allegations of cheating have been made only to get a case registered.

In view of the above, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

September 28, 2020 **[SUDHIR MITTAL]**
reena **JUDGE**

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

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