

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

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**CRM-M No.31066 of 2020
Date of decision:08.10.2020**

Harmanjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr.Hardeep Singh, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.91, dated 10.05.2018 registered under Sections 406, 420, 120-B IPC and under Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, at Police Station City Moga, District Moga.

Counsel for the petitioner has argued that the allegations in the FIR are primarily against the co-accused, Ranjit Singh, who had assured the complainant that he will send him to Canada. Counsel has taken the Court through the FIR, Annexure P-1, and urged that a sum of more than Rs.19 Lakh was allegedly transferred by electronic mode to the bank account of the co-accused Ranjit Singh. Counsel submits that co-accused

Ranjit Singh has been granted bail by the trial Court vide order dated 20.09.2018, Annexure P-4. Counsel further submits the details of two other cases, in which he is alleged to be involved are as under:-

(i) FIR No. 165 dated 29.07.2018, under Sections 406, 420, 120-B IPC and under Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at police station City Moga, District Moga.

(ii) FIR No.24, dated 28.01.2019, under Section 420 IPC registered at Police Station Dharamkot.

He submits that insofar as first FIR is concerned, he has been granted the concession of bail vide order dated 17.08.2020 and his application for bail in the second FIR is pending. Counsel submits that the petitioner is in custody since 06.08.2020 and deserves to be enlarged on bail as trial is not progressing due to outbreak of corona virus.

Per contra, State counsel has opposed the petition for bail on the ground that the petitioner is involved in other cases. He has instructions to state that investigation is complete and the challan has been filed on 19.08.2020, though the charges are yet to be framed.

I have considered the rival submissions of the parties.

Considering the nature of allegation against the petitioner, gravity of offence and the fact that the trial is likely to take time to conclude because of the pandemic, no purpose would be served by keeping the petitioner in further detention. Without commenting anything on the merits of the case, the petition is allowed and the

petitioner is ordered to be released on regular bail on his furnishing bail/heavy surety bonds to the satisfaction of trial Court/Duty Magistrate. The petitioner will also surrender his passport before the trial Court/Duty Magistrate.

08.10.2020
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No