

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32660-2019 (O&M)

Date of decision: 21.01.2020

Ajmer Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Harsh Chopra, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.0126 dated 01.06.2019 under Sections 420, 120-B IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Lopoke, Amritsar.

Learned counsel for the petitioner submits that the FIR was registered with the allegations that complainant Kewal Singh and his son Nirmal Singh were acquainted with Jasbir Singh and his wife Baljit Kaur, Tilak Raj and Ajmer Singh (petitioner). The accused persons obtained Rs.7.00 lacs from the complainant on the pretext of sending his grandson Harpal Singh abroad. It is further submitted that the amount was allegedly paid to Jasbir Singh, who has already been granted the concession of regular bail vide order dated 26.09.2019 passed in CRM-M-40429-2019. Learned counsel further submits that co-accused Jasbir Singh had been granted regular bail, as he had undertaken to deposit

Rs.3.00 lacs with the Illaqa Magistrate, to be kept in an FDR.

Learned counsel for the petitioner has further submitted that one another co-accused Tilak Raj has also been granted the concession of anticipatory bail vide order dated 13.01.2020 passed in CRM-M-39916-2019, as no specific role was attributed to him. It is further submitted that even co-accused Taranjit Singh had been granted the concession of anticipatory bail vide order dated 21.11.2019 passed in CRM-M-45179-2019. It is also submitted that as on today, the petitioner has undergone the judicial custody of more than 07 months; challan stands presented; charges have been framed and since the offences are triable by the Court of Magistrate, it will take some time in conclusion of the trial.

Learned State counsel, on instructions from ASI Kewal Singh, has not disputed that Jasbir Singh has deposited an amount of Rs.3.00 lacs with the Illaqa Magistrate.

Without commenting anything on merits of the case, considering the fact that the petitioner is in judicial custody for the last more than 07 months and all other accused have already been granted the concession of anticipatory bail/regular bail, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

21.01.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No