

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

CRM-M-44461-2019

Date of decision: 27.2.2020

GAURAV SAINI

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajvir Singh, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has approached this Court seeking grant of regular bail in a case registered against him vide FIR No.219 dated 26.8.2018 under Sections 406, 420, 465, 467, 468, 471, 120-B IPC and Section 24 of Immigration Act at Police Station City Kharar, District SAS Nagar.
2. The FIR in question was lodged at the instance of Komal Saini wherein it has been alleged that Ranjit Kaur represented that she could send the complainant abroad and on the said pretext took an amount of ₹28 lakhs. It is further alleged therein that out of the said amount ₹1,80,000/- had been transferred in the account of the petitioner Gaurav Saini on 14.2.2017 as has been told by Ranjit Kaur.
3. Learned counsel for the petitioner has submitted that in the present case out of the allegedly defrauded amount, an amount of ₹10 lakhs has

admittedly been returned back and that in any case it is Ranjit Kaur who is the main accused and the petitioner is merely employed in her office. Learned counsel has further submitted that the petitioner in any case deserves concession of bail on the ground of parity since co-accused Ranjit Kaur has already been released on bail.

4. Opposing the petition, learned counsel for the petitioner submitted that since the petitioner is involved in four other cases, no case for grant of bail is made out. It has however been informed that the petitioner has been behind bars since last more than 6 months.
5. Having considered rival submission addressed before this Court and while bearing in mind that the petitioner has been behind bars since last about 6 months and while also in order to maintain parity since co-accused Ranjit Kaur has been granted bail, further detention of the petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time.
6. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(GURVINDER SINGH GILL)
JUDGE

27.2.2020
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**