

In the High Court of Punjab and Haryana at Chandigarh

220

CRM-M-2889-2021 (O & M)

Date of Decision: January 27, 2021

JASMENDER @ MAHINDER

.....PETITIONER

VERSUS

STATE OF HARYANA

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Aman Pal, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

ANUPINDER SINGH GREWAL, J (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.328 dated 21.07.2020, under Sections 406, 420 IPC (Sections 384, 370 and 506 IPC added later on) and Section 24 of the Immigration Act, 1983, registered at Police Station Sector 32-33, Karnal, District Karnal.

Learned counsel for the petitioner contends that it is alleged in the FIR that co-accused Jaswant and others had taken money from the complainant in the year 2017 for sending him to America. The complainant was sent to Mexico and was arrested at the Mexico-American border and kept in jail for 09 months and thereafter he was deported to India. The FIR was lodged in the year 2020 i.e. after a delay of 03 years. He also contends that the petitioner has been arraigned as an accused only because he is the brother of the co-accused Jaswant. The petitioner was also involved in other cases along with his brother.

Learned State counsel upon instructions states that recovery of ₹2000/- has been effected from the petitioner. He further states that challan has been filed but no prosecution witnesses have been examined.

In view of the above, especially when the petitioner is in custody for over 04 months, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

January 27, 2021
A.Kaundal

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