

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

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**CRM-M-3107-2021
Decided on : 27.01.2021**

Sital Singh @ Sheetal Singh

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Mandeep Kaushik, Advocate
for the petitioner(s).

Mr. H.S. Sullar, AAG, Punjab
assisted by ASI Baljit Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 0003, dated 24.01.2020, under Sections 406, 420, 120-B IPC (Section 24 of the Immigration Act added later on), registered at Police Station Phase 11, District SAS Nagar (Mohali).

Learned counsel for the petitioner contends that the petitioner was working as an employee in the firm of accused Balbir Kalia and no amount of money was ever deposited in his personal account. Rather, an amount of Rs. 4.00 lakhs was deposited on 19th November, 2018, as college fee through NEFT by cheque No. 000045 of HDFC Bank to M/s Child Abroad Education in its A/c No. 918020000230388 in Axis Bank and another sum of Rs.1,12,000/- was deposited on 06.12.2018, as GIC through NEFT in the same account. He has further contended that even as per the case of the prosecution, the cheques in question were issued by Mr. Balbir Kalia, for refund of the amount and not by the petitioner. Learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in other cases at the instance of co-accused

Balbir Kalia. A prayer has, therefore, been made to enlarge the petitioner on bail, as he has been in custody since 28th July, 2020 and only challan has been presented till date. Hence, there is no likelihood of the trial concluding anytime in the near future.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Baljit Singh, has submitted that the petitioner is involved in as many as nine other cases, along with main accused Balbir Kalia. He has, however, not been able to controvert that no sum of money was deposited in the account of the petitioner.

Heard.

In view of the submissions made by learned counsel for the parties, I deem it a fit case for grant of the concession of regular bail to the petitioner, as the trial is unlikely to conclude in the near future, more so, in the prevailing conditions due to the outbreak of COVID-19. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

January 27, 2021

J.Ram

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