

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-4224-2021 (O&M)

Date of Decision:- 25.2.2021

Baljinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Baltej Singh Sidhu, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Sikandar Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in a case registered vide FIR No.144, dated 6.7.2018, Police Station Mattaur, District SAS Nagar (Mohali), under Sections 406 and 420 IPC and Section 24 of Immigration Act.
2. The FIR in the instant case was lodged at the instance of Satbir Singh wherein it has been alleged that the petitioner had taken an amount of ₹1,79,240/- on the pretext of sending him to Canada on 'Work Permit' but he was never sent and that as such the complainant stands defrauded of the said amount.
3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in any case since the

petitioner as on date has been behind bars since more than 1 year and 11 months and that trial is yet to commence, he deserves the concession of bail.

4. Opposing the petition, learned State counsel has submitted that the petitioner is a habitual offender having been involved in 63 other cases and as such he does not deserve any leniency in the matter of bail. It is however, informed that the petitioner has been behind bars for the last more than 1 year and 11 months.
5. I have considered rival submissions addressed before this Court.
6. No doubt, the petitioner is alleged to be involved in a large number of identical cases of defrauding innocent persons but this Court cannot lose site of the fact that the petitioner has been behind bars for a substantial period of about 2 years and trial is yet to commence and consequently the conclusion of trial is likely to consume more time. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

February 25, 2021
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(GURVINDER SINGH GILL)
JUDGE

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