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

CRM-M-8124-2021

Date of Decision: 01.04.2021

Sanjay Kumar

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manbir Singh Basra, Advocate for the petitioner.

Mr. A.A. Pathak, Additional Advocate General, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition for grant of bail in FIR No. 107, dated 14th November, 2020, under Sections 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Talwara, District Hoshiarpur.

The FIR was registered at the instance of Sudesh Kumari. The allegations were that she was duped of ₹ 5.30 lakhs by all the accused on the pretext of getting her a job.

Mr. Manbir Singh Basra, learned counsel for the petitioner submits that co-accused Poonam Kumari and Vikas Mohan were granted anticipatory bail by this Court. The submission is that one of the fact considered was that entire alleged amount was repaid to the complainant. He relies upon order dated 24th March, 2021 passed by this Court in CRM-M-44212-2020. The contention is that petitioner is in custody since 10th December, 2020 and investigation is complete.

Learned counsel for the State opposes the prayer for grant of bail.

Considering the facts that the petitioner is in custody since December, 2020; the disputed amount has been repaid to the complainant; investigation is complete and conclusion of trial is likely to take time, the petitioner is directed to be released on bail subject to his furnishing bail bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

However, it is clarified that nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

1st April, 2021

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| 1. Whether speaking/ reasoned | : | Yes |
| 2. Whether reportable | : | Yes |