

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

110

**CRM-17027 and 17029-2021 in
CRM-M-11304-2021.**

Date of Decision: 22.07.2021.

Gurmeet Singh Sidhu

....Applicant/Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Lupil Gupta, Advocate for applicant/petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Lalit Batra, J.(Oral)

CRM-17027-2021

This application under Section 482 Cr.P.C. is for preponing the date of hearing of the main petition, which is already fixed for 08.09.2021.

Notice of application.

At the asking of Court, learned State counsel accepts notice and stated that he has no objection if application is allowed.

In view of the grounds mentioned in the application and no objection by learned State counsel, hearing of the main petition is preponed and the main petition is taken on Board today itself.

CRM is allowed.

CRM-17029-2021

Copy of Challan and order passed by the Court (Annexure P/3 and P/4) are taken on record, subject to all just exceptions.

CRM is allowed.

Main Case

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Gumeet Singh Sidhu** for grant of regular bail in case FIR No.182 dated 26.07.2019 under Sections 406 and 420 IPC and Section 12(1)(b) of Passport Act, registered at Police Station City Moga, District Moga.

Learned counsel for the petitioner *inter alia* contends that allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that allegedly petitioner dishonestly induced complainant-Kuldeep Rajmail to deliver him Rs.15,49,900/- on the pretext of sending him (complainant) abroad. He further urges that petitioner is languishing in custody since 08.11.2020 and he is no more required by the Investigating Agency for any investigation purpose. He further submits that after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court, in terms of which, offence under Section 12(1)(b) of Passport Act has been deleted. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and carefully gone through the records.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into

consideration the fact that petitioner is in custody since 08.11.2020; that petitioner is no more required by the Investigating Agency for investigation purpose; that final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Gurmeet Singh Sidhu** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Moga, as the case may be.

(**LALIT BATRA**)
JUDGE

22.07.2021
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No