

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

CRM-M-13722-2021

Date of Decision: 1st November, 2021

Sachin Sharma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Vipin Mahajan, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
for the respondent-State.

Mr. Vipul Joshi, Advocate for the complainant.

AVNEESH JHINGAN, J.(Oral)

This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 201, dated 26.07.2020, under Sections 420, 465, 467, 468, 471 IPC and Section 13 of Punjab Travel Professionals (Regulation Act) and Section 13 of Prevention of Corruption Act, registered at Police Station A Division, Amritsar, Punjab.

As per the allegations the petitioner duped the complainant on pretext of sending his son to New Zealand. He failed to fulfill his commitment and also to return the amount. As per the allegations certain amount was deposited in the bank account of the petitioner, one Balwinder Singh police official and in account of Vishal Forex company.

Learned counsel for the petitioner submits that petitioner is in custody from last fourteen months. Investigation is complete, challan stands presented. Rs. 1,00,000/- was recovered from the petitioner during

investigation. He further relies upon fact that other five co-accused were

Learned State counsel on instructions submits that account of Vishal Forex actually belongs to a tea vender who was providing tea to the petitioner. He has given a statement before Chief Judicial Magistrate, Amritsar that the account was operated by the petitioner. Petitioner is involved in five more cases of similar in nature.

Though the complainant is not impleaded as party, Mr. Vipul Joshi, Advocate appears on behalf of complainant and opposes the grant of regular bail.

Learned counsel for the petitioner, at this stage submits that petitioner is on bail in all other cases. The amount deposited by the complainant in the Vishal Forex may be for converting it in foreign currency.

Without commenting upon the merits of the case, considering the custody period and the facts that co-accused were granted bail, investigation is complete, challan stands presented, conclusion of the trial is likely to take time and the involvement of the petitioner in other cases cannot be a ground for declining the bail. Petitioner is granted bail, subject to furnishing heavy surety and surrendering his passport, if possesses one, to the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

1st November, 2021

Parveen Sharma

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No