

CRM-M-20052-2021

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(PROCEEDINGS THROUGH VIDEO CONFERENCING)**

CRM-M-20052-2021

Date of Decision: 16th June, 2021

Baljinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Baltej Singh Sidhu, Senior Advocate with
Mr. Himmat Singh, Advocate, for the petitioner.

Mr. S.P.S. Tinna, Addl. A.G., Punjab,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.18, dated 07.02.2019, registered under Sections 406 & 420 of Indian Penal Code and Section 24 of Immigration Act, 1983, at Police Station Mattaur, District SAS Nagar, Mohali.

It is the contention of the learned senior counsel for the petitioner that the petitioner although is involved in total 68 FIRs on similar allegations but he has been granted the concession of regular bail in 53 cases. He contends that it is a magisterial trial and the petitioner is in custody since 20.02.2019. More than two years have now been completed with the trial not likely to conclude in near future as State counsel informs the Court that only two witnesses have been examined till date out of total 12 prosecution witnesses. Prayer has, thus, been made for grant the

concession of regular bail to the petitioner during the pendency of the trial.

Counsel for the State, on the other hand, opposes the prayer of the petitioner by asserting that the petitioner has been committing fraud upon the people and cheating them on the pretext of sending them abroad. The amount calculated in all the cases will come to a huge amount. He, however, could not dispute the fact that not only the Court below but also this Court has, in various cases, granted him the benefit of regular bail.

Having considered the submissions made by the learned counsel for the parties and keeping in view the fact that the petitioner is in custody for a period of 2 years, 2 months and 21 days as per the custody certificate and trial is not likely to conclude in near future as only two witnesses have been examined out of the total 12 prosecution witnesses cited, this criminal miscellaneous petition is allowed. Petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, SAS Nagar, Mohali.

Any observation made herein-above shall have no bearing on the merits of the case during the trial in any manner.

Petitioner be released if not required in any other case.

16th June, 2021
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

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