

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-22143-2021
Date of decision: 09.11.2021**

Rajesh Verma @ Rishi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. V. S. Mand, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 41 dated 08.02.2019, registered under Sections 420, 120-B of the IPC and Section 24 of the Immigration Act, 1983 at Police Station Division No. 8, Ludhiana.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner has received some amount from the victim for sending him abroad. It is further submitted that petitioner is in judicial custody for the last more than 09 months.

Learned counsel further submits that the investigation is complete, however, nothing has come on record about the paying capacity of the victim and the manner in which the amount was paid to the petitioner.

Learned State counsel submits that petitioner is involved in

some other cases of similar nature, however, it is submitted that challan stands presented on 02.04.2021 but the charges are not yet framed.

In reply, learned counsel for the petitioner submits that petitioner is involved in 05 other cases which have been registered as a consequence to the similar complaints filed by other persons.

Learned State counsel has filed the custody certificate, as per which, the petitioner is in judicial custody for the last 09 months and 06 days.

After hearing learned counsel for the parties, without commenting upon the merits of the case, considering the fact that petitioner is in judicial custody for the last 09 months and 06 days; the offences are triable by the Court of a Magistrate and since the charges are not yet framed, the conclusion of trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate, concerned.

09.11.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No