

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.22518 of 2021
Date of decision:29.06.2021

Rajesh Verma @ Rishi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Varinder Singh Mand, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL J. (ORAL)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.136, dated 01.05.2019 registered under Section 420 IPC, 1860, and Section 24 of Immigration Act, 1983, registered at Police Station Division No.8, Ludhiana.

As per the version of the prosecution, FIR, Annexure P-1, has been lodged on the basis of a complaint received from Ashish Anand with the allegation that Rajesh Verma @ Rishi (present petitioner) has duped him for a sum of Rs.1,30,000/-under the guise of sending him to Canada.

Counsel for the petitioner has argued that the petitioner has been falsely framed and there is no material to show that the petitioner was allegedly paid an amount of Rs.1.30 lac. He urges that the petitioner

is an employee of Canplus Carrier Consultant and is getting salary from the firm. He submits that, in any case, the allegations against the petitioner are triable by a Magistrate, the investigation is complete, the challan stands presented and the petitioner, who was arrested on 30.01.2021, deserves to be enlarged on bail. He submits that the petitioner has been falsely involved in as many as seven cases with almost similar allegations, out of which he has been enlarged on bail in four cases vide orders Annexures P-2 to P-5.

Opposing the petition, learned State counsel upon instructions from ASI Avinash, submits that Rs.90,000/- was paid to him by way of bank transfer and the petitioner who is a habitual offender, has duped a large number of people by alluring them to part with money on the pretext of sending them abroad. As per his instructions, challan has been presented on 02.04.2021 though the charge is yet to be framed.

I have considered the rival submissions of the parties.

Considering the fact that the allegations against the petitioner are triable by a Magistrate, and the final report has been filed, this Court is of the prima facie view that the petitioner would be entitled to the grant of concession of bail during the pendency of the trial.

Keeping in view nature of allegations and gravity of offence, this Court deems it appropriate to release him on bail subject to his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate.

While being released on bail, the petitioner shall furnish an undertaking to the effect that he will not leave the country without the

prior permission of the trial Court and henceforth he shall not indulge in any criminal activity. In case, the petitioner violates the undertaking, it shall be open to the State to seek cancellation of bail.

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

29.06.2021

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(SUVIR SEHGAL)

JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No