

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

212

CRM-M-23553 of 2021

Date of Decision: June 30, 2021

Sachin Kumar Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

--

Present: - Mr. Brijesh Nandan, Advocate for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

-

HARINDER SINGH SIDHU, J.

The petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.76 dated 12.05.2016 under Sections 420, 120-B of IPC, registered at Police Station Sadar, Tarn Taran.

The FIR was registered on the complaint of one Hardip Singh, who stated that he had paid Rs. 10 lacs to the petitioner on the assurance that the complainant would be sent to Australia by the petitioner after arranging his marriage with ILETS cleared girl. Out of this Rs. 3.50 lacs had been paid through cheque and the remaining in cash. It is alleged that the petitioner did not send the complainant to Australia and has returned only Rs. 3.50. lacs to the complainant out of the total amount paid by the complainant.

Learned counsel for the petitioner contends that the complainant has received only Rs. 3.50 lacs from the petitioner which he has returned and further states that the petitioner is still ready and willing to resolve the dispute with the complainant.

The petitioner was initially declared as proclaimed offender vide order dated 28.01.2019 and he was arrested on 20.02.2021. In this

Learned counsel for the petitioner contended that the petitioner had

shifted from Kapurthala to Ambala in the year, 2015. He was not aware of the registration of the FIR against him and no summons were received by him at his residence in Ambala. The investigation in the case is complete and the petitioner is in custody since 20.02.2021.

Taking into account the facts and circumstances of the case, without commenting anything on the merits and bearing in mind the fact that the petitioner has also expressed his intention to try and settle the dispute with the complainant, in my opinion, no useful purpose would be served by detaining the petitioner behind bars any further. The petition, as such, is allowed. Petitioner-Sachin Kumar Sharma is ordered to be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

June 30 , 2021
rashmi

(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No