

BALJINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Divij Datt, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 Pandemic)*

VIVEK PURI, J. (ORAL)

Reply by way of an affidavit of Gursher Singh PPS, Deputy
Superintendent of Police, City-I, District SAS Nagar on behalf of the respondent-
State has been filed and the same is taken on record.

Baljinder Singh-petitioner is seeking regular bail in the case bearing
FIR No. 17 dated 08.02.2018 under Sections 406/420/120-B, registered at Police
Station Mattaur, District SAS Nagar.

Briefly, the FIR has been registered on the basis of the complaint
submitted by Naresh Kumar alleging that the petitioner had demanded a sum of Rs.
3,00,000/- for the purpose of sending him to Canada on work permit VISA and had
received a sum of Rs.50,000/- in advance. The balance amount was to be received by
the petitioner after sending the complainant to Canada and getting the job. On the
allurement of the complainant, the amount was passed on by the petitioner.

been returned.

It has been contended by the learned counsel for the petitioner that the petitioner is in custody since 20.02.2019, the investigation of the case is complete, challan has already been presented in the Court on 01.06.2019, the charges are yet to be framed and the offences are triable by the Judicial Magistrate 1st Class. Furthermore, the petitioner is involved in 67 FIRs which have been registered on the basis of similar allegations. The petitioner has been acquitted in one case and granted bail in 61 cases either by the Co-ordinate Benches of this Court or by the Courts below. Besides, the petitioner has also been arrayed as an accused in 7 other complaint cases which have been instituted on the similar allegations. He has been convicted in one case and sentenced to imprisonment for the period already undergone by him. The copies of the bail orders passed by this Court in some of the cases have also been placed on record.

Learned State counsel has opposed the bail application on the score that during the course of investigation of the instant case, it was found that the petitioner has also cheated other persons and duped them to the tune of Rs.21,24,870/-. Accordingly, the supplementary report under Section 173 (8) Cr. P.C has been prepared. However, it has not been disputed that the petitioner has been granted bail in a substantial number of cases. Even the custody certificate indicates that the petitioner has been granted bail in 51 cases.

The petitioner is in custody for a period of about 2 years and 7 months and he has been granted bail in a substantial number of cases registered on the basis of similar allegations by the Co-ordinate Benches of this Court or the Courts below. The investigation of the case is complete, challan has already been presented but the charges are yet to be framed. As such, the conclusion of the trial is likely to take sometime. Moreover, the offences are triable by the

circumstances are made out to extend the concession of the bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

15.09.2021
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No