

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-31199-2020 (O&M)
Date of Decision:-12.1.2021

Pankaj

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sahil Bali, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Jeet Ram.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.0019 dated 4.3.2020 at Police Station Anandpur Sahib, District Rupnagar, Punjab under Section 306 of Indian Penal Code.
2. The FIR was lodged at the instance of Maninder Kaur wife of Harvinder Singh (deceased), wherein it is alleged that her husband, who is a driver by profession, had come across an agent namely Pankaj, who trapped her husband Harvinder Singh and represented that he could send him to Muscat on work Visa and on the said pretext took an amount of ₹1.50 Lakhs and sent him to Muscat on 24.1.2020. It is alleged that the complainant's husband

was, however, sent to Muscat on a tourist Visa and not on any work Visa and consequently he could not get any job and remained idle there and ultimately was constrained to return back to India on 4.2.2020. It is alleged that complainant's husband being defrauded used to remain under stress and ultimately committed suicide on 3.3.2020 by hanging himself from a fan.

3. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that, in any case, the deceased as per the understanding with the petitioner had been sent to Muscat and that there was no such contract between them that a work permit would be secured by the petitioner.
4. Opposing the petition, learned State counsel has submitted that since it is a case where the deceased had been defrauded and had not been provided with any work in Muscat, as such, he does not deserve the concession of bail. Learned State counsel has, however, informed that the petitioner as on date has been behind bars since the last about 4 months and 19 days and that he is not involved in any other case.
5. Having regard to the facts and circumstances of the case and that the petitioner as on date has been behind bars since the last more than 4 months and is not stated to be involved in any other case, the petition is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.1.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No