

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

Sr. No.214

CRM-M-44716-2021

Date of Decision: 01.11.2021

BALJINDER SINGH

... Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Baltej Singh Sidhu, Senior Advocate with
Mr. Himmat Singh, Advocate and
Ms. Brea Sandhu, Advocate
for the petitioner

Mr. Karan Garg, AAG, Haryana.

Harsimran Singh Sethi, J.(Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR No.397 dated 06.04.2018 under Sections 406 and 420 IPC, registered at Police Station Jagadhri City, District Yamuna Nagar.

Learned Senior counsel appearing on behalf of petitioner argues that though there are large number of cases registered against the petitioner on the same allegations and out of total 68 cases which have been registered against the petitioner, in one case the petitioner has been acquitted and in another case, the cancellation report has been submitted and in 64 cases, the petitioner has already been extended the benefit of bail by the competent Courts.

Learned counsel further submits that once on the similar allegations, the petitioner has already been extended the benefit of regular bail, on the ground of parity, the petitioner be extended the said benefit in the present case as well.

Learned State counsel submits that the allegations against the petitioner

for defrauding people on the pretext of sending them abroad are serious and there are large number of cases registered against the petitioner which shows his intent and therefore, the benefit of regular bail may kindly be declined.

I have heard learned counsel for the parties and gone through the record carefully.

There is no doubt, there are large number of cases which have been registered against the petitioner for defrauding people on the pretext of sending them abroad. In most of the cases, the petitioner has already been extended benefit of bail, copies of which have already been appended alongwith the petition. The allegations against the petitioner are yet to be proved and as the challan has already been presented and the charges have also been framed, and the trial is likely to take some time to conclude, no useful purpose will be served in keeping the petitioner behind the bars, especially when the learned senior counsel has assured this Court that in case the petitioner is extended the benefit of regular bail, he will not influence the trial or the witnesses in any manner and in case of default of the above undertaking, State will be at liberty to approach this Court for passing appropriate orders.

In view of the above and without commenting upon the merits of the case, it is directed that the petitioner be released on regular bail, subject to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

(HARSIMRAN SINGH SETHI)
JUDGE

01.11.2021
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No