

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

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**CRM-37727-2021 in CRM-M-45093-2021  
Date of Decision: 12.11.2021**

Raj Tandon

....Applicant/Petitioner

Versus

State of Punjab

....Respondent

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**CORAM: HON'BLE MR. JUSTICE LALIT BATRA**

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**Present:** Mr. Ashish Soi, Advocate for applicant/petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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**Lalit Batra, J.(Oral)**

**CRM-37727-2021**

This application under Section 482 Cr.P.C. is for preponing the date of hearing of the main petition, which is already fixed for 14.01.2022.

Notice of application.

At the asking of Court, learned State counsel accepts notice and stated that he has no objection if application is allowed.

In view of the grounds mentioned in the application and no objection by learned State counsel, hearing of the main petition is preponed and is taken on Board today itself.

CRM is allowed.

**Main Case**

Present petition under Section 439 Cr.P.C has been moved by petitioner-**Raj Tandon** for grant of regular bail in case FIR No.281 dated

07.10.2018 under Sections 120-B and 420 IPC (Sections 465, 467 and 471 IPC and Section 13 (1) of Punjab Prevention of Human Smuggling Act, 2012 added later on), registered at Police Station Division No.6, District Police Commissionerate Ludhiana.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted one and there is no iota of truth therein. He further submits that allegedly petitioner along with his wife co-accused Aarti Tandon duped complainant – Seema Kumari of Rs.28,00,000/- on the pretext of sending her and her son Daksh Kumar to Canada. He further submits that co-accused Aarti Tandon has already been extended concession of regular bail by this Court, vide order dated 07.09.2021 passed in CRM-M-20027-2021 (Annexure P/5). He further submits that petitioner is languishing in custody since 09.03.2021 and he is no more required by the Police for any investigation purpose as after completion of investigation, final report under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and he may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the contents of petition.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 09.03.2021; that petitioner is no more required by the Investigating Agency for investigation purpose; that *Challan* has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, he deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Raj Tandon** is allowed and he is ordered to be released on bail on his furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be.

**(LALIT BATRA)**  
**JUDGE**

**12.11.2021**

*Varinder Prashad*

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No