

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

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CRM-M-42712-2020

Date of decision : 05.01.2021

Sahab Singh

... Petitioner

Versus

State of Haryana

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Sudhir Rana, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. G.S. Sandhu, Advocate for the complainant.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.182 dated 06.07.2020, under Sections 406, 420 IPC (Sections 506, 370 and 384 IPC added later on) and Section 24 of the Immigration Act, 1983, registered at Police Station 13-17, HUDA, Panipat.

Learned counsel for the petitioner contends that it is alleged that the petitioner along with other accused had taken money from the complainant for sending him to the US, but instead of the US, he was sent to Mexico. He, however, contends that the matter had been compromised and co-accused, Balihar Singh s/o Mahender Singh had promised to return the money to the complainant and had issued three post-dated cheques which were dishonoured. Balihar Singh has also preferred a petition bearing CRM-M-35148 of 2020, for anticipatory bail and had undertaken to settle the matter and had paid a sum of ₹2 lacs to the complainant. The petitioner has been implicated just because he was brother of one Balihar Singh s/o Tehal Singh, who was the signatory to the compromise

which is stated to have not been honoured. He further contends that the petitioner is in custody for over 1 ½ months and is not involved in any other case. He also contends that the petitioner, without prejudice to his rights and contentions, would pay a sum of ₹1,50,000/- to the complainant within a period of 02 weeks from now.

Learned State counsel, upon instructions, contends that investigation is being completed and challan would be filed shortly.

Heard through video conferencing.

In view of the submissions of the learned counsel for the petitioner, especially when the petitioner is in custody for over 1 ½ months, co-accused has been granted *ad interim* bail; he is not involved in any other case; the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

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

The petitioner shall deposit a sum of ₹1,50,000/- in the account of the complainant or through a demand draft for the same amount which would be deposited in the trial Court. The complainant would be at liberty to withdraw the same.

(ANUPINDER SINGH GREWAL)
JUDGE

January 05, 2021
sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No