

238

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

**CRM-M No.9750 of 2022 (O&M)**

**Date of decision: 05.04.2022**

Parminder Singh @ Prabh

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

**Present:** Mr. Naveen Bawa, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN J. (Oral)**

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.191 dated 19.12.2020, for offence punishable under Sections 406, 420, 120-B of the Indian Penal Code, 1860 (in short 'IPC') and 13 of the Punjab Travel Professionals (Regulation) Act, registered at Police Station Nurmehal, District Jalandhar.

Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of Jaswinder Kaur, that she has given Rs.15.00 lacs to the petitioner on the pretext of sending her son abroad, however, neither he was sent abroad nor the amount was returned back. It is further submitted that the petitioner is in custody for the last 01 year and 25 days and he is not involved in any other case.

Counsel for the petitioner has further submitted that the

offences are triable by the Court of Magistrate and challan stands presented. It is also argued that even the charges have not been framed as the trial was delayed due to COVID-19 situation and the offences being triable by the Court of Magistrate, it will take long time in conclusion of the trial.

Counsel for the State on the basis of the Custody Certificate has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody for the last 01 year and 25 days; the petitioner is not involved in any other case; challan stands presented; charges are yet to be framed; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaqa Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**05.04.2022**

*yakub*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No