

**CRM-M-3124-2023 and
CRM-M-19927-2023**

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

Date of decision: 25.07.2023

1. CRM-M-3124-2023

Prince Kumar

...Petitioner

Versus

State of Haryana

.....Respondent

2. CRM-M-19927-2023

Bittu

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sandeep Singh Jattan, Advocate,
for the petitioner in CRM-M-3124-2023.

Mr. Prabhjeet Singh Sullar, Advocate,
for the petitioner in CRM-M-19927-2023.

Mr. Rupinder Singh Jhand, Addl. A. G. Haryana.

Ms. Hasan Kaur, Advocaqte,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

1. This order of mine shall dispose of the above mentioned petitions, which have arisen out of the same FIR.

2. Through both these petitions, the petitioners seek regular bail in case bearing FIR No.893 dated 04.10.2022, registered at Police Station

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Shahabad, District Kurukshetra, under Sections 304, 370, 384, 406, 420 and 120-B IPC and Sections 10 and 24 of the Immigration Act.

3. Reply by way of affidavit of the Deputy Superintendent of Police, Shahabad, filed in CRM-M-3124-2023 with the Registry, is taken on record.

4. Learned counsel for the petitioners contend that the petitioners approached the house of complainant-Sanjiv Kumar and had assured that they could send his brother-Gurvinder Singh abroad and help him in finding a decent job there, and that an amount of Rs.15 lakh had been paid by the complainant to the petitioners for the said purpose. It is further submitted that Gurvinder Singh boarded a flight for Turkey on 11.07.2022 and ultimately, he reached Romania where his dead body was found on the sea-side.

5. Learned counsel for the petitioners further contend that though the petitioners were not the travel agents, yet the fact remains that Gurvinder Singh was on his way to the destination i.e. Italy; that unfortunately, Gurvinder Singh had died in Romania on the sea-side and that the petitioners had no intention to harm the deceased at any stage.

6. Learned counsel for the petitioners further submit that the matter has been settled between the family of the deceased and the accused, vide compromise dated 27.09.2022 (Annexure P-2) and that petitioner-Prince Kumar has been in custody since 06.10.2022 whereas petitioner-Bittu, in custody since 22.11.2022.

7. On the other hand, learned State counsel, while opposing the

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grant of bail to the petitioners, submits that the petitioners had cheated the family of the complainant on the pretext of sending abroad Gurvinder Singh for greener pastures. It is further submitted that the material witnesses are yet to be examined.

8. However, learned counsel for the complainant submits that compromise has been effected between the parties. She further submits that she has no objection, if the bail is granted to the petitioners.

9. I have heard the learned counsel for the parties.

10. Gurvinder Singh boarded a flight for Turkey on 11.07.2022 and ultimately, he reached Romania where his dead body was found on the sea-side. Petitioner-Prince Kumar has been in custody since 06.10.2022 whereas petitioner-Bittu, in custody since 22.11.2022. Indisputably, a compromise has been effected between the parties.

11. The material prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping the petitioners behind the bars.

12. In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, both the petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

25.07.2023
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No