

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

CRM-M No.9061 of 2023
Date of decision: 27th February, 2023

Ranvir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arshdeep S. Brar, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

Mr. Rajan S. Dadwal, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail to the petitioner in case bearing FIR No.185 dated 03.08.2022 under Sections 420, 120-B IPC registered at Police Station Sidhwan Bet, District Ludhiana Rural.

Learned counsel for the petitioner while drawing the attention of this Court to the allegations levelled in the FIR which has been annexed as Annexure P-1, submits that no allegation much less by way of a whisper has been levelled against the petitioner. He submits that the occurrence in question took place on 21.06.2022 and the FIR in question was got registered after an inordinate delay of 43 days, which lends credence to the false implication of the petitioner. Learned counsel further submits that as per the allegations levelled in the FIR,

there was a marriage proposal of daughter of the petitioner for which his daughter along with some other relatives allegedly visited the house of the complainant where engagement ceremony was solemnized between son of the complainant and daughter of the petitioner. An amount of ₹ 11.00 lakhs was allegedly handed over to the co-accused Nirmal Singh, Paramjit Singh and Nidhi on an assurance given by the accused party that the son of the complainant would be sent to Canada, however, later-on it came to fore that alleged assurances were fake. He submits that there was no supportive material on record from which it could be even remotely gathered that any such money transaction had taken place. Learned counsel further submits that since investigation is complete and challan stands presented, further incarceration of the petitioner would serve no useful purpose.

Per contra, learned State counsel assisted by learned counsel appearing on behalf of the complainant, while opposing the prayer and submissions made by the counsel opposite, on instructions has submitted that no doubt there was no specific allegation levelled against the petitioner in the FIR in question, however, he was well aware that his daughter was a minor and hence, the marriage of the son of the petitioner could not have been solemnized with her. Still further, the petitioner had accompanied the other co-accused to the house of the complainant at the time of the engagement ceremony as well as when the alleged amount of ₹ 11.00 lakhs was handed over to the co-accused.

Learned State counsel has submitted that on the next date of hearing i.e. 06.03.2023, charges are likely to be framed.

I have heard learned counsel for the parties and perused the relevant material on record.

The petitioner has been in custody since 09.08.2022, only challan stands presented and thus the trial will take considerable time to conclude. In addition, the offences allegedly committed by the petitioner are triable by Magistrate. In the facts and circumstances, as enumerated hereinabove, this Court thus deems it fit to allow the instant petition. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

February 27, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No