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

CRM-M-26617-2023 (O&M)

Date of decision : 05.12.2023

Lucky

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. RPS Bara, Advocate,
for Mr. Gursharan Singh, Advocate,
for the petitioner.

Mr. C.L. Pawar, Addl.A.G., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.51 dated 29.04.2023, under Sections 420, 467, 468, 471 of the Indian Penal Code, 1860; Section 24 of the Immigration Act; and Section 13 of the Punjab Travel Professionals Regulation Act, 2014, registered at Police Station Sadar, District Pathankot.

2. Allegations are that the petitioner along with other co-accused, have duped innocent persons on the pretext of sending them abroad.

3. Contends that petitioner is in custody since 29.04.2023; investigation is already complete; and charges stand framed on 12.07.2023. Also submits that out of 23 prosecution witnesses, only 01 has been examined so far; thus, conclusion of trial will take sufficient long time.

4. *Per contra*, learned State counsel, on instructions, submits that petitioner is facing other cases of similar nature.

5. Heard both sides and perused the paper-book.

6. Concededly, as on today, trial is going on before learned Judicial Magistrate First Class, Pathankot. It is not the allegation of State that in case, petitioner is released on bail, he shall influence the witnesses or hamper the course of trial, in any manner; thus, further incarceration of the petitioner would not serve any purpose.

7. Consequently, present petition is allowed; petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

9. The above observations may not be construed as an expression of opinion on the merits of the case.

10. It is clarified that in case there is recurrence or any misuse of concession of bail on the part of the petitioner, State of Punjab

would be at liberty to move an appropriate application for recalling of this order.

11. Pending application(s), if any, shall also stand disposed off.

05.12.2023
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(MAHABIR SINGH SINDHU)
JUDGE

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