

227 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32338-2023

Date of decision : 13.07.2023

Vishal Maan

...Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sumit Singh Bairagi, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.99 dated 16.02.2020 registered under Section 10 Immigration Act, 1883 and Sections 406, 420, 467, 468 and 471 Indian Penal Code at Police Station Thanesar Sadar, District Kurukshetra, who is in custody since his arrest on 12.06.2020.

The allegations in the FIR, as noticed by the learned Addl. Sessions Judge, Kurukshetra, in the order dated 02.06.2023 are as under:-

“Facts of the prosecution case, in brief, are that the accused-applicant, along with his accomplices, had cheated the complainants of an amount of Rs. 10,18,000/- and Rs. 10,22,029.50 on the pretext of sending them to Australia by arranging a study visa.”

Learned counsel for the petitioner has argued that the petitioner is in custody for approximately three years. He has further invited the attention of the Court to orders dated 09.02.2021 and 06.12.2022, respectively (Annexure P-3) to contend that the co-accused of the petitioner have already been

extended the concession of regular bail by this Court, therefore, he also deserves the concession of regular bail. He prays for bail.

Learned State counsel on instructions from ASI Mohinder Pal has stated that the prosecution has discharged the onus by examining all the witnesses. Apart from it, he submits that the petitioner is involved in number of other cases of similar nature and despite grant of bail in some of the cases he has chosen not to furnish the requisite bail bonds and surety bonds.

After hearing learned counsel for the parties and considering the last stage of the trial as well as other attending circumstances, this Court without meaning any expression of opinion on the merits of the case does not find it to be a fit case for grant of regular bail to the petitioner.

Petition is dismissed.

			(MANOJ BAJAJ)
			JUDGE
13.07.2023	Whether speaking/reasoned :	Yes	No
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