

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

201

CRM-M-33034-2023  
Date of Decision: 08.08.2023

Krishneil Von Roy Reddy

... Petitioner

V/s.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr .Om Pal Sharma, Advocate  
for the petitioner.  
Mr. T.P.S.Walia, AAG, Punjab.

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**DEEPAK MANCHANDA, J.**

Petitioner has filed this second petition for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 252 dated 23.10.2021 under Sections 406 and 420 Indian Penal Code, 1860 and Section 24 of the Emigration Act, 1983 registered at Police Station City, Phagwara, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner is in custody since 18.03.2022 and his first bail petition was dismissed as withdrawn vide order dated 19.05.2023 (Annexure P-8). Now this second bail application is being filed under the changed circumstances where, after the withdrawal of the first bail application, learned Sessions Judge dismissed the bail application on 31.05.2023 in a routine manner without appreciating the vital aspect of custody of the petitioner as well as the stage of the trial, as even after presentation of challan on 18.05.2022, there is no progress in the

trial. The petitioner is behind the bars for sufficient period, who deserves the concession of regular bail. To support his contention, learned counsel for the petitioner refers to the zimni orders dated 10.05.2023 to 04.07.2023 (Annexure P-3). He submits that petitioner has been falsely implicated in the present case at the instance of the complainant. It is stated that as per the FIR, allegations against the petitioner is that he had cheated various persons on the pretext of settling them abroad. He further contends that in other criminal cases, he is on bail and in the present case, the challan stands presented and conclusion of trial will take sufficient time as charges are yet to be framed, therefore, the petitioner be enlarged on bail.

Reply has been filed on behalf of respondent-State, which is taken on record. *Per contra*, learned counsel appearing on behalf of respondent-State, on instructions from ASI Paramjit Singh opposes the prayer for grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature and he is involved in four more cases. However, he does not dispute the fact that the challan stands presented on 18.05.2022 and charges are yet to be framed and the petitioner is on bail in all other cases registered against him.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 18.03.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars

Resultantly, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)  
JUDGE

08.08.2023

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|--------|-----------------------------|-----|----|
| vanita | Whether speaking/reasoned : | Yes | No |
|        | Whether Reportable :        | Yes | No |