

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

CRM-M-40243-2022

Date of Decision:-**24.02.2023**

JASBIR SINGH AND ANOTHER

... Petitioners

Versus

STATE OF HARYANA

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Puneet Kakkar, Advocate
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioners have approached this Court seeking grant of regular bail in a case having FIR No.534 dated 74.7.2021 registered under Sections 406, 420, 506/34 IPC and Section 24 of Immigration Act at Police Station City, District Karnal.

The allegations in nut-shell are that the petitioners who are husband and wife cheated complainant-Jagsir Singh by getting ₹8.40 lacs from him on the pretext of sending him abroad by getting him work visa but later on, the petitioners failed to do so and also failed to return the money.

The counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and they are incarcerated since 27.7.2021 and that after completion of investigation the police has presented the challan but it will take considerable time for the trial to conclude. The counsel for the petitioners further submits that the petitioners are enlarged on bail in all other cases by the different Courts and prayed that the instant petition be allowed.

The present petition is contested by the State counsel, who submits that in the present case, the petitioners duped complainant of ₹8.40 lac and they are also facing number of other criminal cases of similar nature. However, the State counsel has not disputed the fact that the petitioners are in custody since 27.7.2021 and the trial is going on and now 4 prosecution witnesses remain to be examined. The State counsel has not refuted the fact that the petitioners are already released on bail in the other criminal cases faced by them.

I have considered the submissions made by counsel for the parties.

Admittedly all the offences are triable by the Court of Judicial Magistrate Ist Class and the petitioners are in custody since 27.7.2021. No doubt, the petitioners are also involved in some other cases of similar nature but they are already enlarged on bail in the other criminal cases as has been submitted by the counsel for the petitioners. It will take considerable time for the trial to terminate, so no purpose is going to be served by prolonging the judicial custody of the petitioner for any indefinite period.

Thus, without commenting on the merits of the case, the petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

24.02.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No