

226

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No. 39201 of 2023

Decided on :- 14.12.2023

RAMINDER SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Karandeep, Advocate for
Mr. R.S.Dhull, Advocate for
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in the following case:-

FIR No.	Dated	Sections	Police Station
197	31.12.2020	420,120-B IPC, 24 of the Immigration Act, 1983	Model Town, District Ludhiana

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that no specific role has been attributed to the petitioner in the FIR.

He submits that co-accused Saloni Saluja has already been granted concession of bail vide order dated 14.12.2021 passed by Judicial Magistrate First Class, Ludhiana. He submits that the petitioner is in custody since 29.07.2022, challan in the case has already been presented in Court, charges have been framed and out of 9 witnesses cited by the prosecution only 3 witnesses have been examined till date, as such he prayed for grant of concession of bail.

3. Per contra, learned State counsel has opposed the bail application by arguing that considering the nature and gravity of offence, petitioner is not entitled for concession of bail. He submits that there are some other cases of similar nature registered against the petitioner, however he is on bail in those cases. Learned Counsel for the State, admitted that challan has been presented in Court, charges have been framed and out of 9 witnesses cited by the prosecution only 3 witnesses have been examined till date.

4. Considering the rival contentions and perusing the record, it transpires that FIR was registered on the allegations that petitioner along with co-accused Saloni Saluja had cheated the complainant for an amount of ₹10,00,000/- on the pretext of sending son and daughter-in-law of the complainant to Australia. Co-accused Saloni Saluja has already been granted concession of bail vide order dated 14.12.2021 passed by Judicial Magistrate First Class, Ludhiana. There are other cases of similar nature registered against the petitioner, however petitioner is on bail in those cases. The petitioner is in custody since 29.07.2022 in the present case, challan has

already been presented in the Court, and out of 9 witnesses cited by the prosecution only 3 witnesses has been examined till date; the conclusion of trial will take sufficient long time to ascertain criminal liability, if any, of the petitioner and no useful purpose would be served by detaining the petitioner any longer in a case which is triable by a Magistrate.

5. Consequently, without commenting on the merits of the case, it is observed that no purpose would be served in keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

14.12.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |