

CRM-M-52044-2023

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision: 24.11.2023

SALWINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Rehat Bir Singh Mann, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.81 dated 01.06.2023, registered under Sections 420, 406, 370, 506 and 120-B IPC, Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 (deleted later on) and Section 13 of the Punjab Travel Professional Regulation Act, 2014 (added later on), at Police Station Sadar Tarn Taran, District Tarn Taran.

2. It is submitted by learned counsel for the petitioner that the case against the petitioner is concocted. Even as per the story of the prosecution, the petitioner is not alleged to have taken any money. The money is alleged to have been obtained by the son of the petitioner, namely, Sandeep Singh. However, the son of the petitioner has already been released on bail by the trial Court itself. Moreover, the parties have already arrived at an amicable settlement and accordingly, the accused have

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filed a petition for quashing of FIR, on the basis of compromise. The petitioner is in custody since 05.06.2023. The investigation of the case is complete, and therefore, the petitioner is not required for any further investigation purposes. Hence, the petitioner deserves to be released on bail pending trial.

3. Notice of motion.
4. On the asking of this Court, Mr. Jashandeep Singh, AAG, Punjab, accepts notice on behalf of the respondent-State. Custody certificate of the petitioner has been filed by learned State counsel today in the Court. The same is taken on record. Learned State Counsel, on instructions, from ASI Charanjit Singh, submits that the petitioner in collusion with his son and other family members has defrauded the complainant of a huge amount. Therefore, the petitioner does not deserve any concession of bail. However, it is not disputed that the son of the petitioner, who is alleged to be main accused in this case, has already been released on bail.
5. In view of the above, but without expressing any further opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial subject to his furnishing bail bonds/surety to the satisfaction of the Trial Court/Duty Magistrate, concerned.

24.11.2023
parveen kumar

(RAJBIR SEHRAWAT)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No