

231

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

CRM-M-57714-2023 (O&M)
Date of Decision: 22.11.2023

Jaswinderpal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Kumar Adia, Advocate,
for the petitioner.

Mr. G.S.Sidhu, AAG, Punjab.

Mr. Aashish Gupta, Advocate
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case bearing FIR No.01 dated 31.03.2023, under Sections 420, 494 and 120-B IPC, registered at Police Station NRI, Bathinda (Punjab).

2. It has been submitted by learned counsel for the petitioner that petitioner has faced incarceration for 4 months and the allegations against the petitioner are that he was a mediator in settling the marriage of a boy and a girl. He further submitted that the further allegations were that the girl, namely, Simrandeep Kaur with whom he had got settled the marriage of the son of the complainant, was already married and did not have a P.R. of Canada. He also submitted that the offences under Sections 420 & 494 IPC

are not made out in the present case since no cheating has been committed by the petitioner and further submitted that the present is a case which is triable by the Magistrate and the investigation of the case has already been completed and challan has also been presented and thereafter, even charges have been framed by the trial Court. He submitted that considering the aforesaid facts and circumstances of the present case, the petitioner may be considered for grant of regular bail.

3. On the other hand, Mr. G.S. Sidhu, AAG, Punjab as well as Mr. Ashish Gupta, learned counsel for the complainant have submitted that so far as the custody of the petitioner is concerned, the same is correct and the case is triable by the Magistrate and now the charges have been framed. They have, however, submitted that the petitioner is involved in four more cases wherein he was acting as a mediator and act of cheating was committed by him.

4. I have heard the learned counsels for the parties.

5. The petitioner has faced incarceration for 4 months and the investigation of the case has already been completed and thereafter, charges have also been framed by the learned trial Court. The present is a case which is triable by the Magistrate. The allegations against the petitioner are only to the extent that he was a mediator. The pendency of other cases against the petitioner cannot become a ground for denial of bail to the petitioner. Therefore, in view of the aforesaid totality of the circumstances of the case, this Court deems it fit and proper to grant regular bail to the petitioner.

6. Consequently, the present petition is allowed and the petitioner is ordered to be released on regular bail on furnishing bail bond/surety bond

7. However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

(JASGURPREET SINGH PURI)

JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No