

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-598-2024
Date of Decision: 27.2.2024

Mandeep Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.10 dated 4.1.2022 registered for the offences punishable under Sections 406, 420, 201 IPC and Section 24 of Immigration Act at Police Station Sector 32-33, Karnal.

2. In brief, present FIR was registered on the complaint lodged by Romi alleging that the petitioner and other accused lured the complainant and took ₹ 20 lakh on the pretext of sending his cousin Rajesh and his friend Yogesh to foreign country. Subsequently, the accused persons failed to do so and also refused to return the money. During investigation, the petitioner was arrested by the police.

3. Counsel for the petitioner submits that the petitioner was falsely implicated in the present case and is in custody for the last more than 6 months and that the complainant has already effected compromise with

co-accused/Pawan Kumar and present FIR stands quashed against said Pawan Kumar vide order Annexure P-4. It is further submitted that it will take considerable time for the trial to conclude. So, prayer is made that the petitioner be released on bail.

4. Present petition is contested by the State counsel who submits that the petitioner is specifically named in the FIR and took huge amount from the complainant and one another person to send his cousin and one Yogesh to foreign country. State counsel has not disputed the custody period of the petitioner and on instructions from ASI Dharminder Singh has not refuted the fact that FIR against co-accused Pawan Kumar @ Ashish is already quashed on the basis of the compromise vide order dated 14.12.2023 (Annexure P-4). State counsel further apprised the Court that the trial is at its initial stage.

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

6. All the offences are triable by the Court of Judicial Magistrate, 1st Class and the petitioner is in custody for the last more than 6 months and it will take considerable time for the trial to conclude as charges are yet to be framed against the petitioner by the trial Court. Further, it appears that the complainant has already effected compromise with co-accused/Pawan Kumar and FIR against the said accused is quashed vide order Annexure P-4. In the given circumstances, no purpose is going to be served by keeping the petitioner in custody for any longer period.

7. In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to

the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

February 27, 2024
Paritosh Kumar

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