

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARHCRM-M-3153 of 2024(O&M)
Date of Decision: 13.02.2024

Bikramjit Singh @ Vikramjit Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Dharamveer Phour, Advocate
For the petitioner.

Mr. Viney Phogat, DAG Haryana.

KARAMJIT SINGH, J.

1. The present second petition has been filed by the petitioner seeking grant of regular bail in criminal case having FIR No. 136 dated 15.04.2023, registered under Section 24 of Immigration Act, Sections 34, 370, 406, 420 and 506 IPC at Police Station Mulana, District Ambala to which Sections 120-B, 467, 468 and 471 IPC were added lateron.

2. The allegations in nutshell are that Gurcharan Singh and Labh Singh reported to the police that the accused persons fraudulently took Rs.50,00,000/- each in order to send their children to USA. That the accused persons failed to fulfill their promise and also refused to return the aforesaid amount. During investigation the petitioner was arrested by the police and is presently lodged in judicial custody.

3. The counsel for the petitioner submits that the petitioner is falsely named in the FIR and he never received any money from the complainants. It is further submitted that the petitioner was arrested on 22.06.2023 and after completion of investigation challan is presented but it

will take time for the trial to conclude. It is further submitted that the petitioner is also falsely involved in one another criminal case of similar nature wherein his application for grant of regular bail is pending.

4. Status report by way of affidavit of Suresh Kumar, Deputy Superintendent of Police Barara District Ambala filed on behalf of State is taken on record along with bank statements Annexure R-1 and Annexure R-2 and copy of disclosure statement of the petitioner (Annexure R-3).

5. The State counsel while resisting the present petition submits that the petitioner and other accused persons took Rs.50,00,000/- each from both the complainants namely Gurcharan Singh and Labh Singh in order to send their sons to USA but thereafter nothing was done by the accused persons and even the aforesaid amount was not returned to the complainants. The State counsel on instructions from ASI Jarnail Singh has not disputed the fact that petitioner is in custody since 22.06.2023 and after completion of investigation challan has been presented but the trial is at its initial stage.

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

7. From the perusal of the status report filed by the State it *prima facie* appears that no amount was deposited by the complainants or victims in the bank account of the petitioner. The petitioner who was arrested in this case on 22.06.2023 is presently lodged in judicial custody. On completion of investigation challan has been presented but admittedly the trial is at its initial stage. In the given circumstances no purpose is going to be served by keeping the petitioner in judicial custody for any longer period.

8. In light of above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing of bail bonds and heavy surety bonds to the

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

13.02.2024
Jiten

(KARAMJIT SINGH)
JUDGE

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