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

**CRM-M-19489-2024
Date of Decision: 04.07.2024**

Charaninder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Kanhaiya Soni, Advocate,
for the petitioner.

Mr. A.S. Pannu, AAG, Punjab.

Mr. J.S. Dadwal, Advocate,
for respondent No.2.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case bearing FIR No.33, dated 10.05.2023, under Sections 406, 420 and 120-B IPC (Sections 467, 468, 471, 472 IPC added later on) and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station City Morinda, District Rupnagar.

2. Learned counsel for the petitioner submitted that the petitioner is in custody for about 1 year and 24 days and the charges in the present case were framed on 07.12.2023. He further submitted that since the investigation of the case has already been completed and the present case is triable by the Magistrate, the petitioner may be considered for grant of regular bail.

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3. On the other hand, Mr. A.S. Pannu, learned AAG, Punjab and Mr. J.S. Dadwal, learned counsel for the complainant have vehemently opposed the grant of bail to the petitioner and submitted that the mere fact that the case is triable by the Magistrate would not mean that the petitioner has any right to get bail in view of the peculiar facts and circumstances of the present case. They further submitted that it is a case where the petitioner is indulged in the business of sending people abroad after taking money and issuing fake documents and deceiving people on the pretext of sending them abroad without holding any licence for the same. They also submitted that an amount of Rs.66 lacs was taken by the petitioner from the complainant and his sister and the petitioner stated the entire scheme with regard to the booking of a hotel in United States of America and even the tickets were booked which were later on cancelled but the complainant and his sister never got their visa. They further submitted that on top of it, the petitioner gave different cheques to the complainant for the purpose of returning his money but there was no money in the bank account of the petitioner and the aforesaid cheques were dishonoured. They also submitted that the petitioner is a habitual offender and has duped large number of people by taking money on the pretext of sending them abroad. Mr. A.S. Pannu, learned AAG, Punjab, on instructions from ASI Narinder Pal Singh, who is present in Court today, submitted that there are four FIRs of similar nature pending against the petitioner. He submitted that he has instructions to state that there is a reasonable apprehension that in case the petitioner is released on bail, then he may not only abscond from justice but may also repeat the offence.

4. Learned State counsel also submitted that in addition to the above,

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the petitioner also gave forged demand draft of Axis Bank to the complainant and considering the aforesaid totality of circumstances, the petitioner is not entitled for grant of regular bail.

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

6. Although the custody of the petitioner is 1 year and 24 days and the case is triable by the Magistrate but this Court is of the considered view that considering the peculiar facts and circumstances of the present case, the petitioner does not deserve the concession of regular bail. It is a case where the petitioner is stated to be involved in number of other cases as well of similar nature and so far as the present case is concerned, the allegation is pertaining to taking of Rs.66 lacs from the complainant and his sister and thereafter, to give them a forged demand draft. The gravity and seriousness of the offence would disentitle the petitioner for grant of regular bail. Apart from the above, the apprehension which has been expressed by learned State counsel that in case the petitioner is released on bail then he may not only abscond but may also repeat the offence, does carry weight and cannot be ignored.

7. Consequently, the present petition is hereby dismissed.

8. 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.

04.07.2024*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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