



215 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-27084-2024
DECIDED ON:30.05.2024**

INDERJEET SINGH @ INDERJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Davinder Singh Saini, Advocate
 for the petitioner.

 Mr. Jaspal Singh Guru, AAG, Punjab.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for the grant of regular bail to the petitioner in case FIR No. 34, dated 08.04.2021, under Sections 406, 420, 120-B IPC (Section 13 of Punjab Travel Professions Regulation Act, 2013 added later on), registered at Police Station Chamkaur Sahib, District Rupnagar.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. From bare perusal of FIR, it is evident that neither even a single penny has been transferred in the account of the petitioner nor given by the complainant to him.

3. Custody certificate filed by learned State counsel is taken on record. According to which the petitioner has suffered incarceration for a period of 11 months and 13 days, as of now. He submits that the allegation against the petitioner is that he in connivance with the other co-accused has duped an amount of Rs.11.10 lacs from the complainant for sending the daughter of

4. Considering the custody period undergone by the petitioner i.e. 11 months and 13 days added with the facts that he is a person of clean antecedents, as is evident from the custody certificate and after framing of charges out of total 12 prosecution witnesses, only two have been examined so far which is sufficient for this Court to infer that the conclusion of trial shall take considerable time, no fruitful purpose would be served by detaining the petitioner behind the bars for an indefinite period, which would curtail his right to life and libery including speedy trial as enshrined under Article 21 of the Constitution of India and is also against the principle “Bail is a rule, jail is an exception” as elucidated in the judgement of Apex Court in “*Dataram Singh vs. State of Uttar Pradesh and another;*, (2018) 3 SCC 22”..

5. In view of the discussions made hereinabove, the petitioner is directed to be released on regular bail on his furnishing personal/surety bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

6. The present is allowed in the afore-said terms.

7. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case.

(SANDEEP MOUDGIL)
JUDGE

30.05.2024
Sham

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