



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

214

CRM-M-29861-2024

Date of Decision: 04.07.2024

KULWINDER MAHAY

.....Petitioner

Vs.

STATE OF PUNJAB AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Viren Sibal, Advocate for the petitioner.

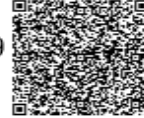
DEEPAK GUPTA, J. (ORAL)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail in case FIR No.18 dated 19.02.2024, under Sections 406 and 420 of IPC registered at Police Station Division No.7, at District Police Commissionerate Jalandhar.

2. On the oral request of learned counsel for the petitioner Section 201 IPC is permitted to be inserted in the head note as well as in the prayer clause of the petition.

3. As per the prosecution allegations, on the pretext of providing a job in Sports University, Patiala, petitioner obtained ₹9 lakh from the complainant-Harmanpreet Kaur, who was introduced to the petitioner by his son. Allegations is that neither any job was arranged for the complainant nor the amount of ₹9 lakh was returned.

4. Learned counsel contends that petitioner is in custody for the last approximately 02 months and that the case is triable by Magistrate. Ld. counsel after seeking instructions from his client also submits that he is



ready to deposit at least 50% of the allegedly disputed amount before the trial Court.

5. Notice of motion.

6. Mr. Randhir Singh Thind, DAG, Punjab accepts notice on behalf of the respondent-State. Ms. Shallu Kumari, Advocate, accepts notice on behalf of the complainant and filed her power of attorney today in Court, which is taken on record.

7. Custody certificate is taken on record, as per which petitioner is in custody for the last 1 month and 29 days. Petitioner is not involved in any other case and the case is triable by Magistrate.

8. Having noticed aforesaid facts and circumstances, present petition is allowed. Petitioner is admitted to regular bail on his furnishing requisite bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned subject to the condition that he shall deposit amount of ₹4.5 lakh before the trial Court concerned. On deposit of the said amount, the same shall be converted in FDR in the name of the Court, which shall be released to the entitled party, after disposal of the trial.

04.07.2024
pry

(DEEPAK GUPTA)
JUDGE

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