



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-37243-2024 (O&M)
Date of Decision: 12.9.2024

Har minder Singh ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. A.K. Walia, Advocate for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
132	4.11.2023	Urban Estate, Patiala	406, 420, 120-B of Indian Penal Code and Section 13 of Punjab Prevention of Human Smuggling Act, 2012

GURVINDER SINGH GILL, J. (Oral)

- The petitioner seeks grant of regular bail in respect of the aforementioned FIR.
- The FIR was lodged at the instance of Nirmal Singh, wherein it is alleged that the petitioner, who was working as a Councilor in ‘Uddan Immigration’ had represented that he could send complainant’s niece Peenu Jaswal, Sukhwinder Kaur and Rajni to Canada on study visa and had thus allured the complainant to part with an amount of Rs.15,54,000/-.
- Learned counsel for the petitioner submits that the petitioner was merely working for the proprietorship firm of Gurpreet Singh under the name and



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style of ‘Uddan Immigration’ and that it is the proprietor, who is the main accused, whereas the petitioner was merely working on salary basis with ‘Uddan Immigration’ and is not the beneficiary of the allegedly defrauded amount. Learned counsel for the petitioner further submitted that challan already stands presented and since the petitioner has a clean record, he deserves the concession of bail.

- 4. Opposing the petition, learned State counsel submitted that having regard to the fact that specific allegations have been levelled against the petitioner, no case for grant of bail is made out. Learned State counsel has not disputed the fact that the challan already stands presented and that the petitioner is not involved in any other case.
- 5. This Court has considered rival submissions addressed before this Court.
- 6. Without commenting anything as regards the merits of the case or as regards the veracity of allegations, but considering the fact that challan already stands presented and that the petitioner has a clean record, further detention of the petitioner will not serve any useful purpose.
- 7. The instant petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

12.9.2024
Geeta/P

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No