



CRM-M-37539 of 2024 (O&M)

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

CRM-M-37539 of 2024 (O&M)

Date of decision : August 08, 2024

Harmanpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. A.P.S. Sandhu, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG., Punjab.

KULDEEP TIWARI, J (ORAL)

1. Through the instant petition filed under Section 483 read with Section 528 of BNSS 2023 the petitioner prays for grant of regular bail in case FIR No.104 dated 27.03.2024 (Annexure P-1) under Sections 420 and 120-B IPC, 1860 (Section 465, 467, 471 added later on) registered at Police Station Goindwal Sahib District Tarn Taran.

2. The allegations against the present petitioner are that he along with one other co-accused Vijay Kumar introduced the complainant to Gurbaj Singh, Mandeep Singh and Mahitab Singh who along with one Navdeep Singh and Mandeep Kaur, who is wife of Gurbaj Singh were working as agents, prepare files for children who are studying abroad, and on the asking of the present petitioner and Vijay Kumar, they have given a total amount of Rs.14,82,500/- along with passport and other documents. However, neither they have sent the daughter of the complainant abroad, nor returned the amount.

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3. Learned counsel while asking for relief of regular bail places reliance on the interim anticipatory bail granted by this Court to the co-accused **Vijay Kumar vide order dated 15.07.2024 in CRM-M-33212-2024 titled as Vijay Kumar Vs. State of Punjab**, who submits that he is on co-pedestal as the petitioner and he is also one of the person who only introduced the complainant to the main accused. He further submits that the petitioner has clean antecedents and is not involved in any other case.

4. Per contra, the learned State counsel did not contradict the factual submission made by the learned counsel for the petitioner. He also placed on record the custody certificate qua the petitioner. The same is taken on record. The petitioner has suffered incarceration of 2 months and 11 days as on today in the instant FIR. He submits that as on date only final report has been filed after completion of registration qua the petitioner and charges are not yet framed. He also submits that the other co-accused, of the petitioner are yet to be arrested.

5. This Court has examined the rival submissions made by both the parties. This Court is of the view that the instant petition deserves to be **allowed** for the reasons mentioned hereinafter:-

- i) that the petitioner has suffered incarceration for a period of 2 months and 11 days as on today.
- ii) that the only allegation against the petitioner is that he has introduced the complainant to the main accused. There is no allegation of any money transaction against the petitioner.
- iii) the co-accused has already been extended the benefit of interim anticipatory bail.



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6. In view of the above facts and circumstances recorded above, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.
7. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.
8. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

(KULDEEP TIWARI)
JUDGE

August 08, 2024
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Whether speaking/reasoned	Yes/No
Whether Reportable :	Yes/No