

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

CRM-M-51116-2023 (O&M)
Date of Decision:- 13.02.2024

Lakhwinder Singh ... Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Dr. Govinder Singh Brar, Advocate, for the petitioner.

Mr. Vishavjeet Singh Virk, DAG, Punjab.

Mr. Rajat Arora, Advocate for the complainant.

FIR NO.	DATE	POLICE STATION	OFFENCES
104	21.10.2022	Sadar Raikot, District Ludhiana Rural	406, 420, 120-B IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Gurjit Singh wherein it is alleged that he had been defrauded by Simranjit Kaur, Lakhwinder Singh, Jasvir Kaur, Harry and Jaswinder Singh of an amount of Rs.15 lakhs, on the pretext of getting the complainant married to a girl who would be residing abroad or would have qualified IELTS.

3. Learned counsel submits that as a matter of fact in the FIR it is also mentioned that the matter had been amicably resolved and pursuant to which two cheques i.e. one for Rs.5 lakhs and another for an amount of Rs.2 lakhs had been given to the complainant which somehow got dishonoured.
4. It has been submitted that subsequently an amount of Rs.7 lakhs had been paid to the complainant. It has been submitted that the petitioner in any case has been behind bars since the last about 6 months and since investigation has concluded, the petitioner is not required to be detained any further.
5. Learned State counsel while opposing the petition has submitted that since the petitioner happens to be involved in 2 other cases, no case for grant of bail is made out. It has however, been informed that the petitioner has been behind bars for a period of about 6 months. It has also been informed that none out of the cited 16 PWs has been examined till date.
6. Learned counsel representing the complainant has admitted the factum of receipt of Rs.7 lakhs, but has otherwise opposed the petition.
7. This Court has considered the rival submissions.
8. It is not in dispute that an amount of Rs.7 lakhs has already been returned which is the amount which had been agreed to be the settled amongst between the parties. The petitioner, in any case has been behind bars since the last about 6 months. Conclusion of trial is likely to consume time inasmuch as none out of cited 16 PWs has

been examined till date. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

13.02.2024

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(GURVINDER SINGH GILL)
JUDGE

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