



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-49991-2024
Date of Decision : **October 16, 2024**

NAVJOT SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Bhavyadeep Walia, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner prays for grant of regular bail in case FIR No.249 dated 18.12.2023, Under Sections 406/420 IPC, lateron added offences under Sections 465, 467, 468, 471 IPC and under Section 13 of the Punjab Travel Professional Regulation Act, 2012, registered at Police Station Kotwali, Patiala.
2. The instant FIR has been lodged by one Arvinder Kaur alleging therein, that she intends to go to Australia on study visa, and it was the petitioner, who assured to arrange the visa, and other documents, and for that the complainant had paid Rs.16,50,000/- i.e. initial Rs.10 lacs were paid by way of RTGS, and Rs.6.5 lacs by way of cash, and the visa which was shown



to have been accorded to the complainant was found to be a forged document and thereafter an amount of Rs.7 lacs was further paid.

3. Learned counsel for the petitioner in the asking for the relief (supra) submits that the alleged amount was actually transferred in the account of one Daksha Patel, though sum of Rs.10 lacs had been transferred into the account of the present petitioner, which he further transferred in the account of Daksha Patel. He further submits that the petitioner has suffered incarceration of about 5 months as on today and all the offences in which the petitioner is facing trial, are triable by the learned Judicial Magistrate 1st Class concerned. He also submits that the veracity of the allegations is yet to be established by the learned trial Court concerned.

4. The learned State counsel on the other hand while placing on record the custody certificate, the same is taken on record, has opposed the grant of regular bail to the petitioner on the ground that the petitioner has infact duped the complainant for the tune of Rs.23,50,000/- lacs, has on the pretext of sending her abroad. He further submits that this is a common phenomena these days in the area of Punjab, that the innocent people are being duped on the pretext of sending abroad.

5. This Court has considered the rival submissions made by the learned counsel for the parties concerned and has perused the entire record`.

6. Without going into the merits of the case and solely considering the days of incarceration suffered by the petitioner and the fact that all the offences in which the petitioner is facing trial,



are triable by the learned Judicial Magistrate 1st Class concerned and even the trial is yet to begin and therefore, the conclusion of the trial would take long time, 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.

October 16, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No