



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

Date of Decision: 25.10.2024

...Petitioner

VS.

...Respondent

Present : Mr. Sumit Singh Chahal, Advocate
for the petitioner.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to him in case FIR No.176 dated 08.05.2024 registered under Sections 406, 420 of IPC and Sections 10, 24 of Immigration Act, at Police Station Ladwa, District Kurukshetra.

2. Learned counsel for the petitioner contends that the FIR in the present case has been got registered by the complainant by coining a false version. In fact, the version of alleged kidnapping and killing of victim Hardeep Singh has been found to be false during the course of investigation and Hardeep Singh is living with his family in India. Even the statement of Hardeep Singh has been recorded by the police during the course of investigation. Learned counsel further contends that even the offences under Sections 406 and 420 are anti-thesis of each other and have been wrongly invoked by the police in the present case. The petitioner was not working as a travel agent and had never



allured the complainant for sending her or her brother abroad nor any money was ever received from the complainant. He further contends that the petitioner was arrested in the present case on 04.07.2024 and is in custody for the last more than 03 months. After completion of the investigation, challan has already been presented before the Court and the offences are triable by the Court of Magistrate.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. The petitioner is in custody since 04.07.2024 and the challan has already been presented before the competent Court of law. Even no witness has been examined so far and there are no chances of early conclusion of the trial in near future. Thus, the custody of the petitioner will not serve any meaningful purpose.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

25.10.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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