

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

CRM-M-54906-2024 (O&M)
Date of Decision:-11.11.2024

Baljit Singh... Petitioner

Versus

State of Punjab... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sukhbir Maandi, Advocate for the petitioner.
Mr. Japjot Singh, AAG, Punjab.

FIR No.	Dated	Police Station	Section/s
92	25.10.2018	Mehta, District Amritsar (Rural)	420, 120-B of IPC & Section 13 of Punjab Prevention of Human Smuggling Act, 2012

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of the abovementioned FIR.
2. The FIR was lodged at the instance of Gagandeep Singh, wherein it is alleged that Baljit Singh (petitioner) and Rajbir Singh had taken an amount of Rs.65,000/- from Akashdeep Singh, Pawandeep Singh, Chamkaur Singh and Mehakpreet Singh on the pretext of sending them to Dubai on work visa, whereas it is only 2 out of the said 4 persons, who were sent to Dubai and that too on a tourist visa and not on work visa.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and that there is no such evidence from which



it could be established that the accused had defrauded the complainant. Learned counsel further submitted that the petitioner, in any case, has been behind bars since the last more than 3 months and since challan already stands presented and co-accused Rajbir Singh had already been granted regular bail, the petitioner deserves the same concession on grounds of parity.

- 4. Opposing the petition, learned State counsel submitted that since the name of the petitioner specifically figures in the FIR, his complicity is clearly evident. Learned State counsel, however, informed that the petitioner has been behind bars since the last more than 3 months and that challan already stands presented and that the petitioner otherwise has a clean record.
- 5. This Court has considered rival submissions addressed before this Court.
- 6. Without commenting anything as regards merits of the case, but having regard to the nature of allegations and also the custody period of the petitioner i.e. more than 3 months and that the petitioner is not involved previously in any other case, further detention of the petitioner would not be justified particularly when the trial has not even commenced and charges are yet to be framed.
- 7. The instant 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.

11.11.2024	(Gurvinder Singh Gill)	
Pankaj	Judge	
Whether speaking /reasoned	Yes / No	
Whether Reportable	Yes / No	