

CRM-M-62600-2023

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

CRM-M-62600-2023

Date of Decision: 06.11.2024

Harbhajan Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Harmanpreet Singh, Advocate for the petitioner.

Mr. J.S.Arora, DAG, Punjab.

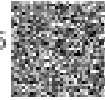
Mr. Ankur Mehta, Advocate for

Mr. A.S. Manaise, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

1. Petitioner has approached this Court by way of present petition praying for granting him regular bail in case FIR No.181 dated 26.10.2023 under Section 420, 467, 468, 471 IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 registered at Police Station Majitha, District Amritsar Rural.

2. As per facts of the case, the FIR in the present case has been registered on the statement of Satinderpal Singh, wherein, he has made allegations against Harbhajan Singh (petitioner) alongwith co-accused that on the pretext of sending his nephew abroad, he was duped with an amount of Rs.11,94,729/-. He also alleged that the documents were forged and neither his nephew was sent abroad nor money was returned. On the registration of the FIR, the investigation commenced. The petitioner being one of the accused was arrested on 26.10.2023. He approached learned Additional Sessions Judge, Amritsar, praying for grant of regular bail, however, on hearing both the sides, learned Court declined the same vide order dated 21.11.2023. Hence, the petitioner is before this Court by way of filing the present petition praying for grant of regular bail.



3. It has been vehemently contended by counsel for the petitioner that petitioner has been falsely and frivolously implicated in this case. He submits that the allegations are qua co-accused Sarvarinder Singh and Paramvir Singh i.e. the sons of the petitioner and being father of Sarvarinder Singh and Paramvir Singh, the petitioner has also been arrayed as an accused. Dehors the merits of the case, he has submitted that this Court referred the parties to the Mediation Centre at District Courts Amritsar for exploring the possibility of amicable settlement and now the matter has been settled as is evident from the report of Mediation and Conciliation Centre, Amritsar. He submits that the petitioner is behind bars since 26.10.2023 and he is not involved in any other case. It is submitted that the petitioner has already been granted interim bail by this Court vide order dated 29.04.2024 and since then he has not misused the concession of interim bail granted to him. He thus submits that the interim bail granted to the petitioner deserves to be made absolute.

4. Learned counsel for the complainant though has opposed the submissions made by counsel for the petitioner on merits, but he has submitted that the matter is settled before the Mediation and Conciliation Centre, Amritsar.

5. Learned State counsel has submitted that the allegations made against the petitioner were substantiated during the investigation. On instructions from ASI Himat Singh, he submits that after filing the challan, charges have been framed, however, out of total 12 prosecution witnesses, none has been examined till date.

6. Heard.



7. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested on 26.10.2023. Sons of the petitioner are also co-accused in the present case. However, this Court had referred the parties to the Mediation and Conciliation Centre at Amritsar and as per the report dated 18.10.2024 received from the Mediator, the matter has been amicably resolved. This Court vide order dated 29.04.2024 had already released the petitioner on interim bail. There is nothing on record to show that the petitioner has misused the concession of interim bail granted to him. As submitted by learned State counsel, the investigation is complete and charges are also framed. Thus, in the overall facts and circumstances, the petitioner is entitled to be released on bail during the pendency of the trial and as such, the interim bail granted to the petitioner vide order dated 29.04.2024 is made absolute and he is granted regular bail till the conclusion of the trial on the bail/surety bonds already furnished by him in response to the order dated 29.04.2024.

8. The petition stands allowed.

06.11.2024
sharmila

Whether Speaking/Reasoned :
Whether Reportable :

(RAJESH BHARDWAJ)
JUDGE
Yes/No
Yes/No