



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

**CRM-M No.14296 of 2025 (O&M)
Date of decision: 21.03.2025**

Jaikaran Joshi

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Manpreet, Advocate for
Mr. Saurabh Bajaj, Advocate for the petitioner.

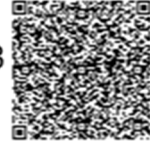
Mr. Viren Sibal, APP, UT, Chandigarh for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (*for short* 'Cr.P.C.') for grant of bail pending trial to the petitioner in FIR No.57 dated 04.06.2024 (P-1), under Sections 420 & 120-B of the Indian Penal Code, 1860 (*for short* 'IPC') [Sections 409, 467, 468, 471 IPC and Section 24 of the Emigration Act, 1983 added later on], registered at Police Station Sector 3, Chandigarh.

(2) Custody Certificate dated 21.03.2025 of the petitioner has been produced and which is taken on record. Copy thereof supplied to the opposite side. Registry to tag the same at appropriate place.

2025:PHHC:038898



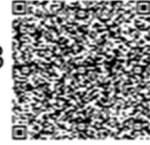
(3) Above FIR was registered on the basis of complaint made by *de facto* complainant-Surinder Kumar, along with others, with the allegations that one Company, under the name and style of M/s Canadian West Consultancy, while hatching criminal conspiracy, cheated them on the pretext of sending abroad and misappropriate amount of ₹ 5,88,900/-

(4) Contends that petitioner is in custody since 16.07.2024; after investigation, report under Section 173 Cr.P.C. has already been presented before the Court of competent jurisdiction on 08.10.2024; but charges are yet to be considered; hence, further incarceration of the petitioner would not serve any purpose.

(5) *Per contra*, learned Counsel for the UT, Chandigarh vehemently opposed the prayer on the premise that petitioner is facing four other criminal cases of similar nature; thus, he is a habitual offender, consequently, his prayer deserves to be rejected.

(6) Heard learned Counsel for the parties and perused the paper-book.

(7) From perusal of the Custody Certificate, it is apparent that petitioner is facing four other cases of similar nature; but in the present case, he is in custody for the last more than eight months. As investigation is already over; but charges are yet to be considered; thus, trial is likely to take



sufficient long time. Hence, in such a scenario, further incarceration of the petitioner would not serve any purpose.

(8) Consequently, present petition is allowed. Petitioner be admitted to bail pending trial on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(9) Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournments.

(10) The above observations may not be construed as an expression of opinion on the merits of the case.

(11) It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, UT, Chandigarh would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

21st March, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>