



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

225**CRM-M-31623-2024****Date of decision: 27.01.2025****MAKHAN SINGH ALIAS VICKY**

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. G.P.S. Ghuman, Advocate with
Mr. Shivraj Singh, Advocate for the petitioner.

Mr.Amit Rana, Sr.DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.109 dated 18.07.2023 under Sections 420, 120-B of the IPC registered at Police Station Dayalpura, District Bathinda.

2. Learned counsel for the petitioner contends that in a magisterial trial, the petitioner has now been in custody since 28th February 2024. Not only is the investigation complete and even charges have been framed, but even the complainant also stand examined. Still further it has been asserted by the learned counsel that the petitioner was merely an employee with the immigration firm which had allegedly duped the complainant of approximately Rs.25 lakhs on the pretext of sending her daughter-in-law abroad. It has been contended that it is not even the case of the complainant that any amount out of the Rs.25,00,000 allegedly given by her was transferred into the account of the petitioner.



3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has he disputed that 02 prosecution witnesses out of the 18 cited have been examined till date. He, on instructions, however submitted that there are 05 other criminal cases involving the similar allegations, registered against the petitioner.

4. I have heard learned counsel for the parties and perused the relevant material placed on record.

5. The petitioner has been in custody since 28th February 2024 in a case triable by a Magistrate. The trial is unlikely to conclude in the near future as 16 prosecution witnesses still remain to be examined.

6. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is allowed and the petitioner be admitted to bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

8. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

(MANJARI NEHRU KAUL)
JUDGE

January 27, 2025
poonam

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No