



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-46842-2025

Date of Decision:-29.08.2025

Gurbachan Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Jagjit Singh, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this second petition under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for the grant of regular bail to the petitioner in case FIR No.181 dated 20.11.2024 under Section 420, 120-B IPC and Section 13 of the Punjab Travel Professional (Regulation) Act, registered at Police Station A Division Amritsar City.

2. The allegations against the petitioner are that he cheated the complainant Jashanpreet Singh of an amount of Rs.5,70,000/- on the pretext of sending him to Portugal on a work Visa.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. No offence as alleged is made out nor the petitioner has received any amount as alleged. As he is in custody since 04.02.2025 but none of the 15 Pws have been examined so far, the trial of the present case is not likely to be concluded in



near future. Therefore, he is entitled to the concession of bail as the case is triable by the Court of a Magistrate.

4. The learned State counsel on the other hand contends that the allegations against the petitioner are grave. He duped the complainant for a huge amount of money. Therefore, he is not entitled to the concession of bail. He however concedes that the petitioner is in custody since 04.02.2025, none of the 15 Pws have been examined so far and that the case is triable by the Court of a Magistrate.

5. I have heard the learned counsel for the parties.

6. This Court in the case *titled as Maninder Sharma Vs. State Tax Officer, State, Mobile Wing, Jalandhar, Punjab* bearing CRM-M-24033-2021(O&M) Decided on 31.08.2022 has held as under:-

“ Therefore, broadly speaking (subject to any statutory restrictions contained in Special Acts), in economic offences involving the IPC or Special Acts or cases triable by Magistrates once the investigation is complete, final report/complaint filed and the triple test is satisfied then denial of bail must be the exception rather than the rule. However, this would not prevent the Court from granting bail even prior to the completion of investigation if the facts so warrant.”

7. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the trial. Admittedly, the petitioner is stated to be in custody since 04.02.2025 and none of the 15 prosecution witnesses have been examined so far. Nothing significant has been pointed out by the State that the petitioner would abscond from the Trial, tamper with the evidence or influence the witnesses if he is granted the concession of regular bail. Therefore, his further



incarceration is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Gurbachan Singh** son of Swaran Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from the trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 29, 2025

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