



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

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CRM-M-56833-2024

Date of decision: 28th January, 2025

Gurinder Singh Batth

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Samay Singh Sandhawalia, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 111 dated 26.09.2023 registered under Sections 406, 420, 465, 467, 468, 471, 120-B and 201 of IPC and Sections 24 and 25 of Immigration Act at Police Station Phase 11, District SAS Nagar.

2. The aforementioned FIR had been registered on the basis of statement got recorded by the complainant-Tarlok Singh, making allegations that he was induced by the accused-Gurpreet Singh and Harpreet Singh, who were running an Immigration business under the name of English Guru's office and the present petitioner who had been working therein, to part with huge amount of money on the assurance that they would send his son



Navdeep Singh to Canada. The petitioner and co-accused had initially asked the complainant to deposit a sum of Rs. 31,300/- and then different amounts of money. Total amount of Rs. 11,14,898/- was taken by them. However, they failed to send his son abroad. On his insistence, the petitioner returned an amount of Rs. 2,50,000/- to him on 11.05.2023, but he failed to return the remaining amount of Rs. 8,64,898/- thereby compelling the complainant to initiate against them. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 07.12.2023. He moved an application for grant of regular bail before the Court of learned Additional Sessions Judge, SAS Nagar, which was dismissed vide order dated 12.04.2024.

3. The present petition has been filed by the petitioner on the grounds and it is argued by his counsel that he has been falsely implicated in this case. He was merely an employee of the main accused-Gurpreet Singh. Only an amount of Rs.60,000/- had been received by him from the complainant and he has already returned the amount of Rs.2,50,000/-. He has been implicated in some other cases by a police official against whom he got registered a case under the Provisions of Prevention of Corruption Act. Trial is likely to take time. No useful purpose would be served by keeping him in custody anymore. Therefore, it is urged that he deserves to be released on bail.

4. On the other hand, learned Assistant Advocate General, Punjab has submitted in terms of the pleas taken in the short reply filed by her on behalf of respondent-State that there are serious and specific allegations



against the petitioner. He is involved in thirteen more cases of similar nature. There are chances of his absconding, intimidating the witnesses or committing similar offence, if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the parties at considerable length and have gone through the record carefully.

6. The petitioner is in custody since 07.12.2023 i.e. for a period of more than one year and one month. The subject offences are triable by Magistrate. Trial is likely to take time. He has been extended benefit of bail in seven cases out of thirteen cases as registered against him and the co-accused. There is no foundation for the contention that he may abscond or intimidate the witnesses. Keeping in view of the discussion as made above but without meaning to make any comment on the merits thereof lest the same prejudice the trial, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds and surety bonds by two sureties to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned. He shall appear before the concerned Police Station once on the first Monday of every month. He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the learned trial Court and in case, any change in his address or mobile phone number(s) takes place, then he shall inform about the same to the learned trial Court in advance.



7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.
8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

28th January, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |