

(211) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30997-2026

Date of Decision: 01.07.2026

MADAN LAL

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present: Mr. G.S. Ghuman, Advocate
for the petitioner.

VIRINDER AGGARWAL, J. (Oral)

1. The present third petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 Cr.P.C.) seeking the grant of regular bail in FIR No. 0041 dated 24.07.2023, registered under Sections 406, 420 and 120-B IPC (now corresponding to Sections 316(2), 318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023), and Section 13 of the Punjab Travel Regulations Act, 2014, with Section 304 IPC (now Section 105 BNS, 2023) having been added subsequently, at Police Station Handesra, District SAS Nagar, Punjab (Annexure P-1).

2. The facts, as noticed from the FIR, are that the complainant's son Tony along with other persons was allegedly desirous of going abroad for employment. It is alleged that the petitioner, posing as a travel agent and known to the complainant through a co-villager, induced the complainant and other victims on the promise of sending them abroad on work permits. A deal is stated to have been struck at ₹12,00,000/- per person for sending them to Italy. It is further alleged that the victims, including Tony, Sandeep, Dharamveer and Ajay Kumar, paid ₹1,00,000/- each towards expenses and

also handed over their travel documents, including passports. Thereafter, it is alleged that the petitioner informed them that they would travel via Dubai and subsequently via Libya, and further demanded money. It is also the case of the prosecution that certain amounts were deposited in the bank account of Madan Lal, stated to be linked with the petitioner. Subsequently, Tony is stated to have died in mysterious circumstances in Libya, whereas the whereabouts of the remaining persons are stated to be unknown.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is contended that even from the bare perusal of the FIR, no offence is made out against the petitioner. It is further submitted that the petitioner has been in custody for more than 02 years and 09 months, however, the trial is at an initial stage. It is also argued that there is no material connecting the petitioner with the alleged death of Tony, who is stated to have died in Libya, and the circumstances of his death remain unverified. It is further submitted that no amount has been directly received in the account of the petitioner, and therefore, his implication is not supported by evidence. It is contended that the petitioner has no role in the alleged offence.

4. Learned counsel further submits that the right to speedy trial is a fundamental right guaranteed under Article 21 of the Constitution of India, and the prolonged incarceration of the petitioner violates the said mandate. Reliance is placed upon the judgment of the Hon'ble Supreme Court in *Satender Kumar Antil v. CBI*, (2022) 10 SCC 51.

5. Notice of motion.

6. Mr. J.S. Rattu, DAG, Punjab, who is present in Court accepts notice on behalf of the State and opposes the petition and submits that the allegations against the petitioner are serious in nature. It is submitted that the petitioner, by posing as a travel agent, induced the complainant and other victims to part with substantial amounts of money and original travel documents on the assurance of sending them abroad. It is further submitted that the investigation has revealed that money was deposited in an account linked with the petitioner. It is also submitted that after completion of investigation, challan has been presented and the case is at the stage of prosecution evidence, and material witnesses are yet to be examined. In view of the gravity of allegations and the stage of trial, it is submitted that this is not a fit case for grant of regular bail.

7. This Court has considered the rival submissions and perused the record.

8. Having regard to the facts and circumstances of the case, particularly the nature of allegations, the stage of trial, and the fact that material witnesses are yet to be examined, this Court is not inclined to grant the concession of regular bail to the petitioner at this stage.

9. However, it is well settled that the right to speedy trial forms part of Article 21 of the Constitution of India. The petitioner having remained in custody for a considerable period, cannot be detained indefinitely. Accordingly, the learned Trial Court is directed to make every endeavour to expedite the trial and ensure examination of material witnesses at the earliest, in accordance with law.



10. With the aforesaid observations, the present petition stands disposed of.

(VIRINDER AGGARWAL)
JUDGE

01.07.2026

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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>