
(2010) 12 P&H CK 0276

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M-31134 of 2010

Harjinder Singh

APPELLANT

Vs

State of Haryana

RESPONDENT

Date of Decision: Dec. 10, 2010

Acts Referred:

- Penal Code, 1860 (IPC) - Section 120B, 406, 420, 467, 468

Hon'ble Judges: S.S. Saron, J

Bench: Single Bench

Judgement

S.S. Saron, J.

Heard counsel for the parties.

The Petitioner seeks regular bail in a case registered against him on 29.07.2010 for the offences under Sections 406, 420, 467, 468, 471, 506, 120B IPC, police Station Barara, District Ambala. The FIR in the case has been registered on the complaint of Kailash Kaur who has alleged that the Petitioner is her distant relative and he represented that he would send the daughter of the complainant namely Harjit Kaur to Canada. On account of his mis-representation, the complainant gave a sum of Rs. 7,00,000/- to the Petitioner as also to the other accused on 02.03.2009. The complainant gave passport of her daughter Harjit Kaur to the Petitioner, who after sometime returned the same stamped with a visa for going to Canada. Later the accused did not send Harjit Kaur to Canada and the complainant got suspicious. On being confronted with the matter, the accused evaded them. Thereafter the meetings were held in the panchayat to resolve the dispute, but the dispute was not settled.

2. According to the learned Counsel for the Petitioner, the CrI. Misc. No. M-31134 of 2010 [2] Petitioner is working in the State Bank of Patiala and he has not received any amount from the complainant Kailash Kaur, who is maternal aunt of the wife of the Petitioner. The present Petitioner and the co-accused namely Rajnish Malik had in fact lodged an FIR No. 406 on 06.11.2009 against one Darshan Bhatia, who is the real culprit. It was he who

has taken the entire amount from the complainant. There are other FI Rs registered against Rajnish Malik. The police of police station Barara had conducted an inquiry on the application of the complainant, wherein the Petitioner was found innocent. Thereafter, on a complaint lodged by the complainant Kailash Kaur, the learned Illaqa Magistrate ordered registration of FIR.

3. The Petitioner is in custody since 04.09.2010. The challan in the case has been filed. His custody is, therefore, not required for investigation. The trial in the case is likely to take time. Besides, the case is triable by the Judicial Magistrate of the First Class.

4. In the aforesaid facts and circumstances, the Petitioner on his furnishing personal bond and surety to the satisfaction of learned trial Magistrate, shall be admitted to bail.

The petition stands disposed of.