

**In the court of Ms.Sanjeeta,
Additional Sessions Judge,
Bathinda (UID:PB-0177).**

CRN PBBT01005031-2021.
CIS No.BA 1785-2021.
Date of order:20.07.2021.

State

..... Applicant/ accused.

Versus

Sharanajeet Singh alias Goldy, aged about 42 years son of Pritpal Singh son of Manohar Singh, resident of House No.10-C, Race Course Preet Nagar, Patiala.

FIR No.58 of 17.04.2021.
u/ s 420 IPC,
PS Kotwali, Bathinda.

Bail application u/ s 439 Cr.P.C.

Present: Sh.Kuljit Pal Sharma,Adv.counsel for applicant/ accused.
Complainant with Sh.M.S.Sidhu, Addl.PP for the State assisted
by ASI Gurmail Singh.

ORDER

- 1) This order of mine shall dispose of second regular bail application filed by applicant in the above mentioned FIR.
- 2) Ld. Counsel for the applicant has submitted that the first regular bail application of accused Sharanjeet Singh has though been dismissed by the Court of Sh.B.S.Sra, Add. Sessions Judge, but now compromise has been effected between the parties. Amarjit Singh and applicant have paid the entire amount of Rs.3,50,000/- to complainant in the court of Ld. CJM, Bathinda on 13.07.2021. As per the compromise remaining amount of Rs.5,50,000/- is to be paid by accused Amarjit Singh and even he has paid Rs.1,00,000/- out of the said amount. He has prayed for the acceptance of the bail application alleging that the offence under section 420 IPC is compoundable with permission of the court and even complainant has come present to make the statement.

3) On the other hand, ld.Addl.P.P. for the State has opposed the bail application alleging that applicant and the co- accused Sharanjeet Singh had duped complainant of a sum of Rs.15,50,000/- under the pretext of sending him and his wife abroad. ASI Gurmail Singh has identified the complainant present in the court but prayed for dismissal of the bail application.

4) I have considered the submissions made by learned counsel for the applicant as well as learned Addl.PP for the State.

5) Perusal of file reveals that the instant FIR was registered on the complaint filed by complainant Mandeep Singh alleging that having desired to settle abroad, his father-in-law had a talk with Sharanjeet Singh, agent, who assured to get work permit visa for Australia for complainant and his wife, for which he made a demand of Rs.20 lacs and he told that he would take the money only on receipt of visa. Copies of the on-line visa for Australia was sent to him on Whatsapp, pursuant to which, he transferred amount of Rs.4,00,000/- on 9.9.2019, Rs.3,00,000/- on 16.9.2019, Rs.4,00,000/- on 30.9.2019 and Rs.1,00,000/- on 19.10.2019 in the account of his father-in-law Ashok Singh, who further adding amount of Rs.3,00,000/- paid total amount of Rs.15,00,000/- to Sharanjeet Singh, in the presence of Amrik Singh. After inquiry, the visa was found to be forged.

6) On inquiry of the complaint, the allegations were found made out and it was further observed that a sum of Rs.50,000/- was also paid to Sharanjeet Singh for the tourist visa, which was transferred in his account.

7) After the registration of the FIR, on questioning of accused Sharanjeet Singh, accused Amarjit Singh was nominated. Sharanjeet Singh, on being questioned, disclosed that he had handed over the documents and the passports along with Rs.3,00,000/- to Amarjit Singh for getting the visa

and the payment made to him by Ashok Singh was further given to Amarjit Singh. Amarjit Singh was nominated as an accused through DDR No.37 dated 25.6.2021.

8) It is on the record that first regular bail application of applicant Sharanjeet Singh has already been dismissed vide order dated 02.06.2021 by the court of Sh. Baljinder Singh Sra, Ld. Addl. Sessions Judge, Bathinda and the second regular bail application has been filed by applicant on the change of circumstances as matter has been compromised between the parties and complainant has received a sum of Rs.3,50,000/-, the amount payable by Sharanjeet Singh towards the said compromise, copy of which is placed on record as mark A.

9) Complainant Mandeep Singh has suffered a statement that matter has been compromised with Sharanjeet Singh as well as Amarjit Singh in terms of compromise deed, copy of which is mark A. As per the compromise, the matter has been settled for a sum of Rs.9,00,000/- against the amount of Rs.15,50,000/- paid by him to Sharanjeet Singh. Sharanjeet Singh had paid part of the amount to accused Amarjit Singh. So both Sharanjeet Singh and Amarjit Singh have agreed to pay a sum of Rs.9,00,000/- to him out of which amount of Rs.3,50,000/- has been paid to him by accused Sharanjeet Singh whereas, remaining amount of Rs.5,50,000/- has been agreed to be paid by accused Amarjit Singh. He has also stated that he has already received Rs.1,00,000/- out of the amount of Rs.5,50,000/- which is to be paid by accused Amarjit Singh. Now nothing is due against accused Sharanjeet Singh. He has produced copy of his Aadhar Card as proof of his identity.

10) Even though the first regular bail application filed by applicant has been dismissed but matter has been compromised between the parties and as per the statement of the complainant, complainant has already received the amount of Rs.3,50,000/- in its totality from accused Sharanjeet Singh towards the compromise. As offence under Section 420 IPC is compoundable though with the permission of the court, I deem it expedient to allow this bail application of the applicant as conclusion of investigating and then trial will take sufficient long time, so no useful purpose would be served by keeping the accused in custody any more.

11) So, without commenting upon the merits of main case, applicant/ accused is ordered to be released on bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Illaqa/ Duty Magistrate subject to condition that he shall appear on and every date of hearing; he shall not leave the country without prior permission of the Court and he shall not induce the prosecution witnesses. A copy of this order be sent to the court of Illaqa Magistrate for compliance. File be consigned to the record room.

**Pronounced:
Dt.20.07.2021.**

**(Sanjeeta),
Addl. Sessions Judge,
Bathinda(UID:PB0177).**

Vinod Kumar,
Stenographer-II