

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-19910 of 2016

Date of decision:- September 01, 2016

SUBHASH CHANDER

.....PETITIONER..

Vs.

STATE OF PUNJAB

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Vipin Ghai, Sr. Advocate with
Mr. Paras Talwar, Advocate for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

JASPAL SINGH, J. (Oral)

Instant petition has been preferred under Section 438 of the Code of Criminal Procedure (for short, "Cr.P.C.") by Subhash Chander, seeking pre-arrest bail, feeling apprehension of his arrest, in case FIR No.62, dated 27.04.2016, under Sections 420, 406, 468, 471, 120-B IPC and Section 3, 4, 7 13(1) of the Punjab Prevention of Human Smuggling Act, 2012, Police Station B Division, Amritsar.

2. At the time of issuance of notice of motion, following order was passed by this Court on June 02, 2016:-

"Prayer is for grant of anticipatory bail to the petitioner-Subash Chander in case FIR No.62 dated 27.04.2016 for offences punishable under Sections 420, 406, 468, 471 and 120-B of Indian Penal Code and Sections 3, 4, 7 and 13(1) of Punjab Prevention of Human Smuggling Act, 2012 registered with Police Station B

Division, District Amritsar.

The allegations against the petitioner are that he is the owner of the “Chandra Diagnostic Centre” and is charging a sum of Rs.3500/- for conducting medical check ups of the persons desirous of going to New Zealand through the main accused Gurjeet Singh who is a travel agent.

It is contended that even if the allegations are taken on the face value no offence is made out against the petitioner-accused.

Notice of motion for 01.09.2016.

In the event of arrest, petitioner shall be released on interim bail subject to the satisfaction of the arresting/investigating officer. However, he shall join the investigation as and when called upon to do so and abide by the conditions as envisaged under Section 438(2) Cr.PC.”

3. On instructions from ASI Satnam Singh, Police Station B Division, Amritsar, learned State counsel has submitted that the petitioner has joined the investigation on 01.07.2016 and he is no more required for further interrogation.

4. Taking into consideration the aforesaid facts of the case, interim order dated June 02, 2016, is made absolute, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

September 01, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No