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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25649-2016(O&M)

Date of Decision :21.09.2016

Lal Chand

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. J.S.Dadwal, Advocate for the petitioner.

Ms.Amarjit Kaur Khurana, Addl.AG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail in case FIR No.06 dated 16.01.2016, under Section 420 IPC and Section 24 Immigration Act, registered at Police Station Koom Kalan, District Ludhiana.

On 28.07.2016 the following order was passed:-

“ *Petitioner is alleged to have received a sum of Rs.13 lacs from the complainant to settle him in U.S.A whereas he was sent to Paraguay.*

Learned counsel for the petitioner submits that as a matter of fact the petitioner had arranged for the immigration of the complainant to Paraguay but on account of his physical condition he was not able to stay there and returned back. Subsequently he falsely implicated the petitioner with oblique motives.

Notice to Advocate General, Punjab for 21.09.2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on or before 20.08.2016. In case of petitioner doing so, he will be released on interim bail to the satisfaction of the arresting officer.”

Learned counsel for the petitioner states that petitioner has joined the investigation. Learned Addl.AG, on instructions from ASI Devinder Singh, has accepted the factual assertion. She has also accepted the fact that as per the complaint the petitioner arranged to settle the complainant in USA whereas he was sent to Paraguay. Leaned counsel for the petitioner has argued that it is not a case where there is any forgery but all the documents are genuine.

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the present petitioner.

Consequently the petition is allowed and the order dated 28.07.2016 is made absolute.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

(AJAY TEWARI)
JUDGE

21.09.2016
Sunita

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No