

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

**CRM No.M-31894 of 2016 (O&M)**

Date of decision: December 15, 2016

Balwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Gurjinder Singh Thind, Advocate  
for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

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**INDERJIT SINGH, J.**

Petitioner-Balwinder Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.81 dated 08.06.2016, registered at Police Station Jamalpur, District Ludhiana, under Sections 420 and 120-B of Indian Penal Code and Section 24 of Immigration Act.

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that the allegations against the present petitioner are that he took Rs.1,80,000/- from the complainant and promised him to send Romania, but instead of Romania, the petitioner arranged visa for Armenia for five days only. It is also alleged that the petitioner took the

amount of Rs.2,90,000/- per person to get two years work permit. Learned counsel for the petitioner argues that as per advertisement (Annexure P-2), they got published for Armenia visa only for residence permit work.

Moreover, in pursuance of the interim order dated 28.09.2016, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 28.09.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

December 15, 2016

rajesh.k.khurana

**(INDERJIT SINGH)**  
**JUDGE**

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|---------------------------|---|-----|
| Whether speaking/reasoned | : | Yes |
| Whether Reportable        | : | No  |