

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

CRM-M -5873 of 2016 (O&M)

Date of decision: 05.08.2016

Vishal Chopra

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K. Arya, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Navtej Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.03, dated 08.01.2016, registered under Section 420 IPC, at Police Station Cantonment, District Amritsar.

On 17.02.2016, this Court had passed the following order:-

“Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Kranti Kumar alleging that the petitioner along with Ricky and Deepak had fraudulently obtained a sum of Rs.3,75,000/- approximately to send his son Rajat abroad against work permit. Rajat went to Singapore and was sent back on account of improper visa.

Counsel for the petitioner submits that petitioner has been

falsely implicated in the case. Petitioner has already submitted a representation against the complainant. Petitioner had also approached this Court for a direction to the Commissioner of Police for protection of life and liberty. Copy of order passed in favour of the petitioner by High Court has been placed on record. Though the allegation against the petitioner are serious but the claim of the petitioner that the complainant has lodged the FIR with a vindictive mind can also not be ruled out.

To facilitate the investigation, I deem it appropriate to issue notice to Advocate General, Punjab simultaneously requiring the petitioner to make himself available for investigation.

Notice of motion to State for 29.3.2016.

Meanwhile an interim direction is issued that the petitioner will join investigation on or before 5.3.2016 and in case of his doing so, the petitioner will be released on interim bail to the satisfaction of the arresting officer. The antecedents of the petitioner as if he runs a travel agency or he is doing any thing with the traveling, be submitted by the prosecution agency by the next date of hearing.”.

It is contended that in pursuance of the order dated 17.02.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation.

As per FIR, the son of the complainant was introduced to the petitioner through Deepak Malhotra and Rinki, however, the learned State counsel, on instructions states that no evidence could be collected against Deepak Malhotra and Rinki and they have been declared innocent. Keeping in view the fact that the petitioner has

repeatedly joined investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 17.02.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

05.08.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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