

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

**CRM-M-40572 of 2016 (O&M)
Date of Decision: January 18, 2017**

Harwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. H.S. Batth, Advocate
for the petitioner.

Mr. P.S. Paul, DAG, Punjab
assisted by ASI Supinder Singh, Police Station
Fatehgarh Sahib.

FATEH DEEP SINGH, J.

The allegations against the petitioner in this anticipatory bail application under Section 438 Cr.P.C. are that he was instrumental in introducing about 15 persons to principal accused Shyam Singh a worker in his Hotel and for payment of sum of Rs.2.20 lacs each who has promised them migration abroad.

The contentions of the learned counsel for the petitioner that no role is assigned to the petitioner except he has introduced the workers with the alleged accused Shyam Singh could not be displaced by the learned State counsel who has readily accepted the same.

Keeping in view the stand of the two sides and the very legality and validity of such a piece of evidence and that the element of criminality qua the role assigned to the petitioner is a debatable issue and

since nothing is to be recovered from him, the present application is allowed. In the event of arrest of the petitioner, he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he will abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

January 18, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No