

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

CRM-M -40711 of 2016 (O&M)

Date of decision: 06.03.2017

Manjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. LM Gulati, Advocate for the petitioner(s).

Mr. Arshdeep S. Kler, DAG, Punjab.

Mr. Rishu Mahajan, Advocate for the complainant.

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 FIR No.260 dated 19.10.2016, registered under Section 420 of IPC and Section 13 of The Punjab Prevention of Human Smuggling Act, 2012 at Police Station Chheharta, District Amritsar City.

On 22.11.2016, this Court had passed the following order:-

“Contends that the petitioner is not a travel agent. The only allegation against the petitioner is that the complainant stayed with the brother-in-law of the petitioner in Hong Kong. It is asserted that the petitioner and his brother-in-law, Gurmeet Singh, are not on talking terms since the year 2006. Allegedly Rs.1.5 lakhs was paid on

15.09.2015 and another amount of Rs.3 lakhs was paid on 10.10.2015. The complainant left for Hong Kong on 04.11.2015 and came back on 18.11.2015, whereas complaint in the first instance was registered on 26.02.2016 on the basis of which present FIR was registered on 19.10.2016. There is no explanation for the delay.

Notice of motion.

At this stage, Ms. Harsimrat Rai, DAG, Punjab accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Mr. Rishu Mahajan, Advocate causes representation on behalf of the complainant.

Meanwhile, in the event of arrest of the petitioner(s) by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1.That he shall make himself available for interrogation by a police officer as and when required;*
- 2.That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3.That he shall not leave India without prior permission of the Court.*

Post again on 17.01.2017.”

It is contended that in pursuance of the order dated 22.11.2016 the petitioner has joined the investigation.

The learned State counsel, on instructions submits that though the petitioner is not a travel agent but he is involved in serious offence of human trafficking. He states that the petitioner has

joined the investigation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 22.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

06.03.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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