

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-18791 of 2018
Date of Decision: 09.05.2018

Jasvinder Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ravi Kumar Mattoo, Advocate
for the petitioner.

Ms. Neelam Kashyap, DAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing FIR No.144 dated 15.03.2018 registered for the offences punishable under Sections 406, 420 read with Section 120-B of Indian Penal Code (IPC), at Police Station Pehowa, District Kurukshetra.

Heard.

As per allegations in the FIR, petitioner had introduced complainant with Kulwinder Singh and Manpreet Kaur for sending and settling his son Rupinder Singh abroad. Talk for sending and settling Rupinder Singh matured with aforesaid persons and payment of ₹27 lakhs was made to them. However, Rupinder Singh was not sent abroad. Thereafter, an agreement was entered in between aforesaid person and complainant whereby it was agreed that amount of ₹27 lakhs will be returned. When complainant apprised petitioner about this compromise, he told him that Kulwinder Singh and Manpreet Kaur will not return his

money. They are only gaining time. Thereafter, the petitioner accompanied complainant to village of aforesaid persons but they were not found. As per complainant, he had relied upon petitioner while making payment of ₹27 lakhs to Kulwinder Singh and Manpreet Kaur, who have embezzled that amount.

From above allegations, it appears that petitioner is not involved in the business of travel agency. He had introduced complainant with Kulwinder Singh and Manpreet Kaur for sending and settling his son Rupinder Singh abroad. Keeping in view above facts and allegations levelled in the complaint describing role of the petitioner, I am of the opinion that custodial interrogation of the petitioner is not required.

Without expressing any opinion on the merits of the case, this petition is allowed. Petitioner is directed to surrender before the police and join investigation within a period of two weeks. In the event of his arrest being required, he shall be released on bail, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of bail allowed to him.

In the event of petitioner not surrendering before the police within the stipulated period, this order allowing concession of bail to him shall stand withdrawn automatically.

May 09, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No