

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

CRM No.M-28787 of 2018 (O&M)

Date of Decision: July 18, 2018

Pardeep Kumar

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Dheeraj Mahajan, Advocate
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab
for the respondent-State.

Mr.Fatehjeet Singh, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.135 dated 19.06.2018 under Section 420 IPC and Section 24 of the Immigration Act, registered at Police Station City Gurdaspur.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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

As per allegations in the FIR, petitioner took ₹4 lakhs from the

complainant for sending complainant's son Lovepreet to Canada but he

could not send him upto 12.04.2014. As per the allegations, on 28.10.2016, aforesaid Pardeep Kumar entered into agreement that he will send Lovepreet abroad by 31.01.2018. Learned counsel for the complainant contested this agreement and stated that this agreement is a forged document.

The perusal of the record shows that amount of ₹4 lakhs was paid in the year 2013 but the FIR was got registered on 19.06.2018. The complainant kept silent for such a long period.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, he shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

However, nothing stated above, shall constitute my opinion on merits of the case.

July 18, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No