

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

**CRM-M No.31562 of 2018 (O&M)
Decided on: 23.10.2018**

Gurbachan Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Manpreet Singh, Advocate
for Mr. D.S. Kahlon, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0072 dated 08.06.2018, registered under Sections 406 and 420 of the Indian Penal Code, 1860 (in short 'IPC') read with Section 24 of the Immigration Act, at Police Station Bullowal, District Hoshiarpur.

The operative part of the order dated 21.09.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioner submits that in CRM-M39325-2018 filed by co-accused Shiv Kumar Walia, the following order has been passed:

“Learned counsel for the petitioner submits that as per the allegations in the FIR, the complainant has alleged that Gurbachan Singh co-accused had made the representation to send his son abroad and had handed over an amount of Rs.6

lakhs as detailed in the FIR. Learned counsel for the petitioner submits that in fact, he is working as a recovery agent in one company and in order to show his bona fide, he is ready to deposit an amount of Rs.1 lakh with the Illaqa magistrate, subject to final outcome of the trial.

Learned State counsel, on instructions from ASI Harmesh Lal submits that the petitioner be directed to join the investigation.

List again on 23.10.2018.

In the meantime, petitioner is directed to appear before the Investigating Officer on 28.09.2018 at 10.00 a.m. or any other date or time as fixed by him to join the investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions: -

1. He shall make himself available for interrogation by a police officer as and when required;

2. 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. He shall not leave India without previous permission of the Court.

The petitioner is directed to deposit the aforesaid amount of Rs.1 lakh on or before 28.09.2018 with the Illaqa Magistrate.”

List again on 23.10.2018....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 21.09.2018, the petitioner has appeared before the Investigating Officer and has joined the investigation. It is further

submitted that the petitioner has deposited the amount of Rs.1 lac on 28.09.2018 with the Illaqa Magistrate.

Counsel for the State, on instructions from ASI Harmesh Lal, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 21.09.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

23.10.2018
yakub

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No