

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

CRM-M-31903-2018 (O&M)

Date of Decision:-14.9.2018

Emmanuel Paul Gill

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Harinder Singh, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.94 dated 22.5.2018 under Sections 420 and 120-B of Indian Penal Code, 1860 and Section 24 of Immigration Act at Police Station Division No.6, Jalandhar.

The FIR, in the present case, was lodged at the instance of Barna Bas, wherein he alleged that Emanuel Paul Gill (petitioner) was known to his father since the last about ten years and enjoying his trust and that the peittioner suggested to his father that the complainant be sent abroad and introduced his father to one Gaurav Gupta, Director, Airtag Way Pvt. Ltd., who demanded an amount of ₹ 3.5 lacs for sending the complainant to Singapore on work permit. It is alleged that initially an amount of ₹ 1.65 lacs was given to the petitioner at Phillaur and subsequently a cheque for an amount of ₹ 85,000/- favouring Gaurav Gupta was given to him. It is further alleged that another amount of ₹ 40,000/- was given later to the petitioner

for arranging the ticket but neither any permit or visa was given nor the said amount was returned to the him.

The learned counsel for the petitioner has submitted that as per the allegations levelled in the FIR, the petitioner is not the travel agent and had merely introduced the complainant's father to Gaurav Gupta and that in these circumstances no liability can be fastened upon him.

On the other hand, the learned State counsel has submitted that it is the petitioner, who had been handed over the entire amount and which clearly shows that he was hands in glove with Gaurav Gupta and that in these circumstances, he does not deserve the concession of bail.

Having considered the rival submissions addressed before this Court and bearing in mind the nature of allegations, wherein the petitioner had introduced the complainant's father to Gaurav Gupta and it is the petitioner, who had received the amount from complainant's father, the complicity of the petitioner is evident. As such, I do not find any special case for grant of anticipatory bail to the petitioner. The petition is without merits and is hereby dismissed.

14.9.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No