

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

214

**CRM-M No. 37223 of 2018 (O&M)
Date of Decision : 15.10.2018**

Tarun Kumar Mehra

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE P.B.BAJANTHRI

Present : Mr. Sahil Puri, Advocate for the petitioner.

Mr. Luvinder Sofat, A. A.G. Punjab.

P.B.BAJANTHRI, J. (ORAL)

In the present petition, petitioner seek anticipatory bail under the provision of Section 438 Cr.P.C. in FIR No.43 dated 30.07.2018 under Sections 420 IPC and 13 of the Punjab Prevention of Human Smuggling Act, 2012 read with Section 3 of the Punjab Prevention of Human Smuggling (Amendment) Rules, 2014 now called the Punjab Travel Professionals Regulation Act, 2014 registered at Police Station Bholath, District Kapurthala.

2. Learned counsel for the petitioner submitted that the present case is registered by the police on secret information. There is no complaint against him from public. Therefore, he is entitled to anticipatory bail. This Court vide order dated 29.08.2018 had directed the petitioner to join investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C. Even the

observation made in the order dated 29.08.2018 is still unrebutted.

3. Learned State counsel, on instructions from ASI Baljinder Singh states that in pursuance to the order dated 29.08.2018 petitioner has joined investigation. Petitioner is not required for custodial interrogation.

4. In view of these factual aspect and circumstances, without expressing any opinion on the merits of case, the order dated 29.08.2018, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioners shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

5. However, the petitioner shall not in any way indulge in any criminal activities and he shall also not influence the witnesses or otherwise interfere with the fair trial.

6. Accordingly, the petition stands allowed.

15.10.2018

pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No