

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-44652 of 2018

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Date of decision:21.11.2018

Sahib Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

(2) Criminal Misc. No.M-45744 of 2018

.....

Rajinder Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. A.S. Manaise, Advocate for the petitioners.

Mr. Pawan Sharda, Senior Deputy Advocate General, Punjab
for the respondent-State.

Mr. B.S. Baath, Advocate for the complainant.

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Inderjit Singh, J.

This order will dispose of the above mentioned two petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.100 dated 24.8.2018 registered for the offences under Sections 420, 465, 468, 471 and 120-B IPC and Section 13 of Human Trafficking Prevention Act, 2014 at Police Station Sadar Gurdaspur, District Gurdaspur.

Notice of motion has been issued in these cases.

Mr. Pawan Sharda, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. B.S. Baath, learned Advocate appeared for the complainant and contested these petitions.

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

A perusal of the FIR shows that the main accused is Tejinder Singh alias Manna, to whom the money had been paid in foreign currency. As per the FIR and version given by the complainant, Tejinder Singh, brother of Rajinder Singh and son of Sahib Singh told the complainant that his brother Rajinder Singh and Rahulpreet Kaur-Bhabhi will also help and if he was not able to do the work then his brother and Bhabhi will also be responsible for this. Later on, during the inquiry, another application with different version has been given alleging payment to the petitioners Rajinder Singh etc.

Keeping in view the facts and circumstances of the present case and the fact that the petitioners have already joined the investigation, they are not required for custodial interrogation. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The interim orders dated 9.10.2018 and 16.10.2018 respectively passed by this Court granting interim bail to the petitioners are

made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 21, 2018.

(Inderjit Singh)

Judge

hsp

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