

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

CRM No.M-6500 of 2018 (O&M)

Date of Decision: August 20, 2018

Gagan Bajaj and another

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.S.P.S.Sidhu, Advocate
for the petitioners.

Mr.Pawan Sharda, Sr.DAG, Punjab
for the respondent-State.

None for respondent No.2.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.16 dated 27.01.2018 under Sections 420 and 120-B IPC, registered at Police Station Zira, District Ferozepur.

Notice of motion was issued. Learned State counsel appeared and contested the petition. As per office report, notice issued to respondent No.2 has been received with the report of refusal to accept the notice.

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

From the record, I find that FIR has been registered against the

petitioners on the complaint of Gyan Singh. It is stated in the FIR that Gagan Bajaj is working as travel agent and they settled for ₹4 lakhs to send wife of the complainant to Australia. Complainant gave ₹3,40,000/- by way of draft on 20.03.2009 and remaining amount of ₹60,000/- was given later on but the petitioners could not arrange the VISA of Australia for complainant's wife. The money was given, as per the complainant, in the year 2009 but the FIR has been got registered in the year 2018 i.e. after a long delay, which is not satisfactorily explained.

At the time of arguments, learned State counsel contended that cancellation report has already been prepared in this case.

The petitioners have already joined the investigation. They are not required for investigation or custodial interrogation. No useful purpose will be served by sending them to custody.

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 the petitioners are entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 20.02.2018 granting interim bail to the petitioners, is made absolute.

August 20, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No