

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-2033-2018 (O&M)

Date of decision:22.01.2019

Hoshiar Singh

.....Petitioner

versus

State of Punjab

....Respondent

**CORAM: Hon'ble Mr. Justice Kuldip Singh**

Present: Mr. Rajvir Singh, Advocate for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Kulwant Singh, Advocate for the complainant.

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**Kuldip Singh, J. (Oral)**

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.102 dated 08.12.2017 (Annexure P-1) under Sections 420/120-B of Indian Penal Code, registered at Police Station Maloud, District Ludhiana.

Heard.

The allegations in the FIR against the petitioner are that accused Hoshiar Singh-present petitioner along with co-accused promised to send Harjinder Singh and Narinder Singh (complainant) to Newzealand for Rs.20 lac per person. Both the complainants claim that they have paid Rs.7 lac each to Hoshiar Singh-petitioner. It is further stated that once they were taken to Indonesia and after 10 days they were sent back. Thereafter, they were again taken to Indonesia but were not taken to Newzealand. It is

further stated that two more such persons were cheated.

Learned counsel for the petitioner contends that one Chand Singh S/o Ujjagar Singh had moved a complaint dated 10.10.2017 (Annexure P-8) against Narinder Singh that he had cheated them. In the complaint also, the allegations are that Narinder Singh who is residing in Indonesia had claimed that his son-in-law/Hoshiar Singh is doing the work of sending people to Newzealand and Canada. Though, in the complaint, the allegations are that 15 lac per persons was to be paid and the money was paid to Narinder Singh. Learned counsel for the petitioner states that Narinder Singh is proclaimed offender in one case. In any case it appears from the FIR and the cross complaint that the petitioner is doing the work of sending the people illegally to Newzealand and Canada. It is a case of human trafficking and not a fit case for grant of anticipatory bail.

Accordingly, the petition is dismissed.

**(KULDIP SINGH)**  
**JUDGE**

22.01.2019

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Whether speaking/ reasoned:

Yes

Whether Reportable:

No