

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

CRM-M-34237 of 2018
Date of Decision:24.04.2019

Charanjit SinghPetitioner
Versus

State of PunjabRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

ASI Amrik Singh is present.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.99 dated 19.05.2018, under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code read with Section 13 of Punjab Prevention of Human Smuggling Act, 2013, registered at Police Station City Moga, District Moga.

On 10.08.2018 while issuing notice of motion, the following order was passed by this Court:

“Learned counsel for the petitioner submits that initially the inquiry was conducted by DSP, NRI, Ludhiana and the allegations levelled in the complaint were found to be false. There was a recommendation to file that complaint. Subsequently, another inquiry was conducted by other DSP, NRI Wing, Ludhiana and FIR has been registered against the petitioner. Learned counsel also submits that the petitioner has falsely been implicated in the case whereas he has only guided three persons. Neither any amount was received nor any document was prepared at the instance of the petitioner. No other case of similar nature is pending against the petitioner and he is ready to join investigation.

Notice of motion for 04.10.2018.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer. He shall also join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make himself available for interrogation before investigating officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court."

Police official, who is present in Court has apprised that the petitioner has joined investigation on 10.08.2018 and further stated that the custodial interrogation of the petitioner is not required in the present case.

In view of the above, the interim order dated 10.08.2018 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

April 24, 2019
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no