

214 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.24234 of 2019 (O&M)  
Date of decision : 29.05.2019

Parvinderjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

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

Ms.Amarjit Kaur Khurana, DAG, Punjab.

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**AJAY TEWARI, J. (Oral)**

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.47 dated 16.03.2019 registered under Sections 406/420 IPC & Section 13 Punjab Prevention of Human Smuggling Act, 2012 at Police Station Sultanpur Lodhi, District Kapurthala.

As per the allegation the son of the complainant wanted to go to USA and came in contact with one Gurjpal Singh @ Gagan. The said Gurjpal Singh @ Gagan assured the complainant that he would be able to send his son to USA and took a huge amount of money from him. It is further alleged that the son of the complainant never reached USA and the name of the petitioner has been mentioned as being one of the person who was in league with Gurjpal Singh @ Gagan.

The precise contention of the learned counsel for the petitioner

POOJA SHARMA is that the petitioner is a regular travel agent and had just booked the tickets  
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and had no role in either inducing or defrauding the complainant. He has further stated that the petitioner has handed over to the police a notarized affidavit given by the son of the complainant wherein he has completely exculpated the petitioner.

Learned DAG on instructions from SI Manjit Singh has accepted that the said document has been submitted to the police but states that its genuineness has yet to be established.

In the circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the Investigating Officer on 10.06.2019 and on any other date as and when his presence is required.

In case, on verification the affidavit is found to be genuine, the Investigating Officer shall confirm the bail and in case it is found that the letter is not genuine, then the bail would be dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

29.05.2019

*Pooja sharma-I*

( AJAY TEWARI )  
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No