

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-28700-2019 (O & M)
Date of Decision: November 08, 2019

KAMALJEET

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Dharam Bir Bharagav, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 85 dated 04.06.2019 under Sections 406 and 420 of the Indian Penal Code, 1860, and Section 24 of the Immigration Act, 2000, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner along with co-accused Dalvinder Singh had taken a sum of ₹5 lakhs for sending the complainant to Canada, but they did not prepare the documents. He also contends that the petitioner has compromised the matter with the complainant and he has paid a sum of ₹3,86,000/- to the complainant in full and final settlement. He has referred to the copy of the compromise, which is at Annexure P1. He further contends that co-accused Dalvinder Singh has not returned the money which he had received, therefore, the complainant has started demanding the same from the petitioner. He further contends that the petitioner is not involved in any other case.

This Court, by the order dated 09.07.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Gurdeep Singh, states that although the petitioner has joined investigation but the money has to be recovered from him.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 09.07.2019 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 08, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No