

In the High Court of Punjab and Haryana at Chandigarh

230

CRM-M-30724-2019 (O & M)
Date of Decision: September 27, 2019

VIKRAM SHARMA @ VICKY SHARMA**PETITIONER**

VERSUS

STATE OF PUNJAB**RESPONDENT**

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. R.S. Bajaj, Advocate for the petitioner.

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

Mr. J. S. Thakur, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 01 dated 02.01.2019, under Sections 406 and 420 of the Indian Penal Code, 1860, besides Section 24 of the Immigration Act, 1983 and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Division No. 6, District Jalandhar.

Learned counsel for the petitioner contends that the allegations in the FIR are that although a sum of ₹1,70,000/- was paid to the petitioner, but the nephew of the complainant was not sent to Dubai as promised by the petitioner. He also contends that the petitioner had arranged the visa for the nephew of the complainant to go to Dubai on two occasions but he himself had refused to go there. He has referred to the copies of the agreement and undertaking furnished by the nephew of the complainant wherein he has

undertaken that in case he does not go to Dubai, he will pay the cancellation fee of ₹25,000/-. He further contends that the petitioner is ready to return the amount of ₹1,70,000/- after deducting ₹25,000/- as cancellation fee. He states that he has paid a sum for ₹1,45,000/- to the complainant.

Learned counsel for the complainant states that the matter has indeed been compromised.

This Court, by the order dated 22.07.2019, 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, on instructions from ASI Hira Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 22.07.2019 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

September 27, 2019

A.Kaundal

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