

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208-2

CRM-M-39997 of 2019

Date of Decision: November 18, 2019

Jai Vardhan Talwar @ Jai Vardhan Tanwar

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Pradeep Panwar, Advocate, for the petitioner.

Mr. Ramdeep Pratap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.33 dated 15.02.2019 under Sections 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Islamabad, Amritsar, District Amritsar. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 19.09.2019 whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that petitioner has already applied for licence as required under the provisions of Punjab Prevention of Human Smuggling Act, 2012. He submits that even otherwise the petitioner was to start his business activities. Attention of the Court is invited to the orders (Annexure P-2) passed in respect of similar accused, who were granted concession of pre-arrest bail.

Notice of motion for 18.11.2019.

Meanwhile, the petitioner shall join the investigation and

would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Nishan Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Nishan Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 19.09.2019 is made absolute.

November 18, 2019
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[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No