

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CRM-M-46523-2019(O&M)
Date of Order:26.11.2019

Ashish Pratap

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajiv Joshi, Advocate
for the petitioner.

Mr. SPS Tinna, Addl. A.G.,Punjab.

ANIL KSHETARPAL, J(Oral)

On 01.11.2019, following order was passed:-

“Petitioner prays for grant of anticipatory bail in FIR No.71 dated 10.06.2019 registered under Sections 406, 420, 120-B of IPC and Section 24 of Immigration Act, 1983 read with Section 13 of the Travel Professional Regulation Act, 2014, at Police Station Navi Baradari, Jalandhar.

It has been noticed that the Court of Sessions after appreciating the facts had in fact granted protection to the petitioner vide order dated 19.06.2019. It was ordered that the petitioner should join investigation. However, on the next date, since counsel did not appear, therefore, bail application was dismissed.

Learned counsel for the petitioner contends that counsel for the petitioner before the Court of Sessions did not inform the petitioner about the requirement of joining investigation. He submits that if one opportunity is given, petitioner is ready to join investigation. He further submits that the petitioner is an employee of Study Express Company and, therefore, no offence against the petitioner is made out. He further relies upon order dated 04.10.2019 passed by this Court in CRM-M- 33820-2019 granting pre-arrest bail to the co-accused.

Notice of motion.

On asking of the Court, Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 26.11.2019.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Ram Rattan, has submitted that the petitioner in this case has joined the investigation, cooperated and is not required for further custodial interrogation.

In view thereof, interim order dated 01.11.2019 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

November 26, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No