

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-9664 of 2020 (O&M)
DATE OF DECISION : 01.09.2020**

Harwant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. H.S. Dhindsa, Advocate,
for the petitioner.

Mr.Sidakmeet Sandhu, AAG Punjab.
Mr. Rohiteshwar Singh, Advocate
For the complainant.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No.14 dated 10.02.2020, registered at Police Station Mukerian, District Hoshiarpur, under Sections 420 IPC and 13 of Punjab Travel Professionals(Regulation) Act, 2014,.

2. Per FIR, the petitioner took a sum of Rs.8 lacs from the complainant on the pretext of sending his son abroad i.e. Poland. However, on 28.12.2017 the son of the complainant was instead sent to Serbia, then to Bosnia and from there he was called back to Mumbai on 15.02.2018 where his passport was also illegally taken from him. On demanding passport, petitioner was coerced to pay more money on the promise that his son would be sent to United States America instead of Poland. Ordeal continued, his son was this time flown to Sao Paulo in South America and onward to Mexico via road from there. Then he was sent to from Mexico to Guatemala where more money was

demanded by the agents and on refusal pay, petitioner's son was assaulted/tortured by said agents. In order to save himself from further torment, petitioner's son escaped from their clutches and scaled the Mexico/USA border wall across to USA and was arrested by border authorities and deported to India on 15.08.2019. Hence the FIR.

3. On the last date of hearing, taking into account the seriousness of the matter when this Court was not inclined to interfere, learned counsel for the petitioner sought time for amicable settlement of the matter. Rather an offer was also made to pay Rs.2 lakhs unconditionally to the complainant.

4. Today it has been brought to the notice of the Court that no talks of compromise have taken place. Preliminary status report has been filed by the State indicting the petitioner for the offences per FIR.

5. Having heard learned counsel for the parties and on perusal of status report, this Court is of the opinion that taking into account his conduct and the gravity of the offence petitioner is not entitled to any judicial protection. His custodial interrogation is very much necessary to unearth the true facts as also to ascertain his *modus operendi* in the whole matter.

6. In the circumstances, petition is dismissed.

(ARUN MONGA)
JUDGE

September Ist 2020
Jiten

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No