

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

**CRM-M-12943-2020 (O&M)
Date of Decision : 02.07.2020**

Varinder Nafri Petitioner
Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE RAMENDRA JAIN

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

Mr. Bhupinder Beniwal, AAG, Punjab.

RAMENDRA JAIN, J. (Oral)

Case has been taken up for hearing through video conferencing.

Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in case FIR No.0011 dated 17.02.2020, registered under Sections 406, 420 IPC, 13 of the Punjab Travel Professionals (Regulation) Act, 2014 and 24 of the Immigration Act, at Police Station Mukandpur, SBS Nagar.

Learned counsel in compliance to order dated 2.6.2020 submits that petitioner is unable to deposit the cheated amount or any proportion thereof.

According to prosecution, petitioner alongwith his accomplice Vishal Saini alias Banti cheated the complainant for Rs.29,00,000/- for sending him abroad. They sent the complainant

to Mexico and When he asked to hand over his passport, despite charging Rs.36,000/-extra from him, they did not return the same. Thus, after staying their for 5-10 months, he returned back.

Learned counsel contends that petitioner is working as a driver with co-accused Vishal Saini alias Banti. Neither any amount was ever transferred in the bank account of petitioner, nor even a single penny was paid to him in cash.

Learned State counsel, referring to short affidavit of Mr. Gurvinder Pal Singh, Deputy Superintendent of Police, Banga, District SBS Nagar, Punjab, vehemently opposed the grant of anticipatory bail to the petitioner. He submitted that as per details given on page 10 of the said affidavit, complainant withdrew the alleged cheated amount on different dates from his bank account and handed over the same to petitioner and his accomplice.

Having given thoughtful consideration to the rival submissions, this court finds that it is a case of human trafficking. Petitioner is required for custodial interrogation. Thus, he is not entitled for concession of anticipatory bail.

Dismissed.

02.07.2020
mamta

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No