

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17821-2020 (O&M)

Date of decision: 29.07.2020

Balwinder Singh Mattoo

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Kuldeep Tiwari, Addl. AG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.195 dated 05.06.2020 under Sections 406, 420, 370 IPC and Section 24 of Immigration Act, registered at Police Station Madlauda, District Panipat.

While granting interim bail to the petitioner, following order was passed by this Court on 08.07.2020: -

“...Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of Malkeet Singh, he knew the petitioner, who is doing the work of immigration and in May, 2019, he had paid Rs.22.00 lacs for sending him to America. The FIR gives the details of dates, when the complainant travelled to Greece from Delhi and then from Greece to Mexico

and then to USA, from where, he was deported back. It is further submitted that in fact, the petitioner is working as broker with Expert Overseas Partners and partners of this firm Nirmal Singh and Jaspreet Singh Sandhu used to deal with the complainant and payment was also made to these persons and even the call details of the complainant with Nirmal Singh would reveal that he was dealing with the case. It is also submitted that the petitioner is running a firm in the name of Mattoo Overseas and no amount either in cash or through cheque or RTGS was given to the petitioner, though the allegations are that huge amount of Rs.22.00 lacs was paid. Learned counsel further submits that the complainant is not in possession of any such transaction to show that amount was paid to the petitioner and he is first offender and is not involved in any other case.

Notice of motion.

On asking of the Court, Mr. Sukhdeep Parmar, AAG, Haryana accepts notice on behalf of the respondent-State and has, however, submitted that as per statement of owner of a building, where the petitioner was running his office Mattoo Overseas, he was, in fact, doing this type of business.

In reply, learned counsel for the petitioner has not disputed that the petitioner is running the business in the name of Mattoo Overseas, however, submits that the money was paid by the complainant to the partners of Expert Overseas...”

Learned counsel for the petitioner submits that in pursuance of the

aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 08.07.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

29.07.2020
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No