

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

**CRM-M No.21554 of 2020
Date of Decision: 26.10.2020**

Surender

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Santosh Bhardwaj, Advocate for
Mr. Partap Singh, Advocate, for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Mr. G.S.Sandhu, Advocate
for the complainant.

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TEJINDER SINGH DHINDSA.J (ORAL)

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been preferred under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.87, dated 05.06.2020, under Section 24 of Immigration Act and Sections 406, 420 IPC (Later Section 370 IPC added), registered at Police Station Nigdhu, District Karnal (Haryana).

Petition came up for preliminary hearing before this Court on 04.08.2020 and the following order was passed:-

“This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of anticipatory bail in

FIR No.87 dated 05.06.2020 under Section 24 of Immigration Act and Sections 406 and 420 IPC (Section 370 IPC added later on) registered at Police Station Nigdhu, District Karnal.

FIR had been registered on the complaint of Bhupender Singh. Precise allegations are that the complainant has been duped of a sum of Rs.13,00,000/- on the pretext of being sent abroad.

Counsel would inter alia argue that even as per version contained in the FIR the entire entrustment of money was in favour of coaccused Jeevan. Further submits that the complainant has already entered into some kind of settlement/compromise with co-accused Jeevan and on the strength of which Jeevan has been granted benefit of regular bail. Counsel has also adverted to the order appended as Annexure P-2 to submit that even though the petitioner is involved in one more FIR of a similar nature, vide order dated 29.06.2020 passed by this Court in CRMM-15824 of 2020 he has been granted interim protection.

Notice of motion returnable for 22.9.2020.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions from SI Parveen Kumar, informs the Court that the petitioner has chosen not to join investigation. There is no rebuttal forthcoming at the hands of counsel representing the petitioner, who merely states that she is not in touch with

the accused.

Conduct of the petitioner dis-entitles him from the concession of pre-arrest bail.

Petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

October 26, 2020
hemlata

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |