

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

**CRM-M-24207-2020 (O&M)
Date of Decision:17.11.2020**

Sandeep Kumar

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. D.S. Pheruman, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Tarundeep Kumar, Advocate for complainant.

TEJINDER SINGH DHINDSA J.(Oral)

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

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in FIR No.212 dated 28.05.2020, registered under Section 420 IPC (Sections 370 and 120-B IPC and Section 24 of Immigration Act added later on) at Police Station Kurukshetra University, District Kurukshetra.

While issuing of notice of motion, the following order was passed by this Court on 14.09.2020:-

*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 pre-arrest bail in FIR No.212 dated 28.05.2020, registered under Section 420 IPC (Sections 370 and 120-B IPC and Section 24 of Immigration Act added later on) at Police Station Kurukshetra University, District Kurukshetra.

Allegations against the petitioner are that he had accepted an amount of Rs.7,00,000/-approximately from the complainant to facilitate the complainant to be sent abroad. However, complainant having been sent abroad, has since been deported.

Counsel for the petitioner relies upon compromise at Annexure P-2 to state that the FIR had been got registered on account of some misunderstanding and the entire amount has since been returned.

Even though, prayer for pre-arrest bail has been opposed by learned State counsel by submitting that petitioner is involved in yet another FIR bearing No.110 dated 28.05.2020 registered at Police Station Ismailabad, District Kurukshetra, on similar allegations, yet it has gone uncontroverted that a Co-ordinate Bench of this Court vide order dated 24.08.2020 passed in CRM-M-24044 of 2020 (Sandeep Kumar Vs. State of Haryana) has granted ad-interim bail subject to the petitioner joining investigation.

Even in the present case, Mr. Tarundeep Kumar,

Advocate has joined proceedings on behalf of the complainant and concedes to the factum of compromise.

Notice of motion returnable for 16.11.2020.

To be listed alongwith CRM-M-24044 of 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.

Mr. Saurabh Mohunta, DAG, Haryana, on instructions from ASI Karambir informs the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

In view of the above, petition is allowed. Order dated 14.09.2020 passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

November 17, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No