

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M No.24908 of 2020
Date of Decision: 14.10.2020

SUNIL @ ANIL

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

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

Mr. Rajat Gautam, D.A.G., Haryana.

Mr. Paramjeet Phor, Advocate for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

The petitioner seeks grant of anticipatory bail in case bearing FIR No.146 dated 05.06.2020, registered under Sections 406, 420 and 120-B IPC (Sections 10/24 of the Emigration Act added later on) at Police Station Baroda, District Sonipat.

Learned counsel for the petitioner submits that the petitioner was working as a driver with principal accused namely Om Parkash, who is stated to have received the entire monetary consideration from the complainant for sending him to America. The petitioner has not received any amount in the said context. Learned counsel further submits that even a compromise has

been arrived at between the parties. A quashing petition on the basis of compromise has also been filed in the Court.

Mr. Paramjeet Phor, Advocate for the complainant accepted the factum of compromise between the parties.

In view of aforesaid position, the present petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 18.10.2020 at 11.00 AM and in the event of his arrest, he shall be released on bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

October 14, 2020
D.Bansal

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No