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

CRM-M-32935 of 2020
Date of decision: 17.11.2020

Gurjant Singh

.....Petitioner

vs.

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kapil Aggarwal, Advocate, for the petitioner.
Mr. Ashok Kumar Sehrawat, DAG, Haryana.
Mr. R.K. Agnihotri, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.101 dated 16.06.2020, registered under Sections 406, 420, 370, 384, 120-B IPC and Section 24 of the Emigration Act at Police Station Nigdhu, District Karnal.

The case of the prosecution is that the complainant had paid Rs.15.00 lakhs to the petitioner and co-accused Jagdish Kumar for legally sending him to the United States of America. However, he was sent to the USA but illegally where he remained in jail and was later deported to India. After returning to India the complainant asked the petitioner and co-accused Jagdish Kumar for returning him money but only Rs.2.00

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lakhs were returned by Jagdish Kumar.

Learned counsel for the petitioner submits that the petitioner has compromised the matter with the complainant and therefore, on this short ground he may be granted anticipatory bail.

Learned State counsel has filed an affidavit acknowledging the compromise between the petitioner and the complainant.

Learned counsel appearing for the complainant also admits that the petitioner and the complainant have settled their dispute.

In view of the above as also for the reason that the major thrust of the prosecution is against co-accused Jagdish Kumar, the present petition is allowed and subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C., in the event of his arrest in FIR No.101 dated 16.06.2020, registered under Sections 406, 420, 370, 384, 120-B IPC and Section 24 of the Emigration Act at Police Station Nigdhu, District Karnal, he shall be released on anticipatory bail to the satisfaction of the Arresting Officer.

November 17, 2020
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No