

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

204

CRM-M-34469-2020

DATE OF DECISION: 27.11.2020

HARMANDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rajan Singh Dadwal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.139 dated 25.09.2020, under Section 420 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station City Jagraon, district Ludhiana (Rural).

Learned counsel for the petitioner contends that it is alleged that the petitioner has taken a sum of Rs.1,60,000/- in cash from the complainant for sending him abroad but the complainant was neither sent abroad nor the money was returned. Learned counsel, however, contends that the petitioner has received only a sum of Rs.70,000/- for online arrival visa from the complainant and is ready to return the same to the complainant. He also contends that the petitioner is not involved in any other case of similar nature.

This Court, by the order dated 29.10.2020, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the

satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel contends that although the petitioner has joined investigation but he has not returned the sum of Rs.70,000/- to the complainant.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 29.10.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

Learned counsel for the petitioner undertakes that the petitioner shall either deposit an amount of Rs.70,000/- in the account of the complainant or handover a demand draft for the same amount to him within a period of one week from now.

In the event of the petitioner not paying the amount of Rs.70,000/- to the complainant within a period of one week, the complainant will be at liberty to file an application in this regard.

The Registry is directed to furnish a copy of this order to the complainant at the address mentioned in the FIR.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

27.11.2020

SwarnjitS

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