

215-3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.53284 of 2019

Date of decision: 02.03.2020

Gurpal Singh

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

**Present:** Mr. Kushagra Mahajan, Advocate  
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioner prays for grant of anticipatory bail in FIR No.86 dated 10.07.2019, registered under Sections 419, 420, 465, 467, 468, 471, 120-B IPC and 13 of the Punjab Human Smuggling Act at Police Station Majitha Road, District Amritsar.

Counsel for the petitioner has submitted that as per the allegations in the FIR, the victims have alleged that they have contacted a person namely Suraj Parkash also named as Thomas, who is running a company by the name of Dubai Overseas and they have paid a sum of Rs.1.20 lacs per person to Suraj Parkash @ Thomas, who has told them that he will arrange Visa within 10-15 days. It is further stated in the FIR that thereafter, Suraj Parkash @ Thomas gave them Visa but never send them to Dubai and also did not return the passport and has rather absconded from the place from where he was running his business.

Counsel for the petitioner has further argued that, in fact, the petitioner is the owner of the residential property where the other two accused namely Gurpreet Singh and Manvinder Singh were staying

as a tenant and he has no connection in the offence committed by Suraj Parkash @ Thomas and one Sarabjit Kaur. It is further submitted that there is no allegation that they have received any amount.

Counsel for the State, on instructions from SI Dilbag Singh, has argued that both Suraj Parkash @ Thomas and Sarabjit Kaur, against whom they complainants have made the statements have not been arrested so far. However, it is not disputed that the petitioners are named in the FIR.

In view of the above, the present petition is allowed and the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

1. *He shall make himself available for interrogation by a police officer as and when required;*
2. *He 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; and*
3. *He shall not leave India without previous permission of the Court.*

However, it will be open for the Investigating Officer to join the petitioner in the investigation, if need be, by giving an advance notice in writing.

**(ARVIND SINGH SANGWAN)**  
**JUDGE**

**02.03.2020**

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Whether speaking/reasoned  
Whether reportable:

Yes/No  
Yes/No