

**CRM-M-55401-2019 (O&M)**

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

**CRM-M-55401-2019 (O&M).  
Decided on: January 22, 2020.**

**Charan Dass**

**.. Petitioner**

**VERSUS**

**State of Punjab**

**.. Respondent**

**\* \* \***

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

**\* \* \***

**PRESENT      Mr.Kartikeya Swaroop Mehta, Advocate,  
for the petitioner.**

**Mr.M.s.Nagra, AAG, Punjab.**

**JASGURPREET SINGH PURI, J. (ORAL)**

The present petition has been filed under Section 438 of the Code of Criminal Procedure (for short 'the Cr.P.C.') praying for grant of anticipatory bail in FIR No.125 dated 23.11.2019, under Sections 420 and 406 IPC as well as under Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 and Section 24 of the Immigration (Emigration Act), 1983, registered at Police Station Sadar, Nawanshahr.

Learned counsel for the petitioner submits that a false case has been registered against the petitioner and it is a case of simple

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borrowing amongst friends and the allegations levelled against the petitioner of taking money for sending someone abroad are false and therefore, learned counsel for the petitioner prays for the grant of anticipatory bail in the present case.

Per contra, learned State counsel, on instructions from ASI Vikram Singh, states that it is not an isolated case where the FIR has been lodged against the petitioner. He submits that another FIR No.79 dated 9.8.2019, also stands registered against the petitioner in which similar allegations have been levelled and it is a case where an amount of Rs.1.5 lacs was transferred in the name of the petitioner in his bank account maintained with Punjab National Bank and Rs.50,000/- was taken by the petitioner in cash. He further submits that the petitioner does not have any license of immigration nor he is having any office at any place and therefore, the matter is serious in nature and as such, present petition be dismissed.

This Court has heard the learned counsel for the parties and perused the record. The allegations contained in the FIR are direct allegations against the petitioner and the learned counsel for the petitioner has not disputed that Rs.1.5 lacs were transferred in the bank account of the petitioner. So far as lodging of another FIR as referred to by the learned State counsel is concerned, the same has been lodged on similar facts where the petitioner had allegedly taken money for sending the complainant abroad in that FIR also.

Considering the totality of the circumstances, this Court

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do not deem it fit to grant the concession of anticipatory bail to the petitioner and consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

**January 22, 2020.**  
**raj arora**

**(JASGURPREET SINGH PURI)**  
**JUDGE**

|                             |          |
|-----------------------------|----------|
| Whether speaking / reasoned | Yes / No |
| Whether reportable          | Yes / No |