

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CRM No. M-5261 of 2021
Date of Decision : 17.09.2021

Vinay Kumar and another

....Petitioners

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rituraj Singh, Advocate for petitioner No. 1.

Mr. Sudesh Kumar Khurcha, Advocate for petitioner No. 2.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab.

Mr. Ajiteshwar Singh, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The petitioners are seeking anticipatory bail in FIR No. 06, dated 13.01.2021, registered under Sections 420, 120-B IPC at Police Station Navi Biradari, Jalandhar.

Learned counsel for the petitioners contends that the petitioners have joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 18.02.2021. Order dated 18.02.2021 is as under:-

“Case taken up through video conferencing.

Learned counsel for the petitioners has contended that daughter of the petitioners, namely, Charu, who is residing in Canada on a study visa has got married with son of complainant, namely, Vishal Kumar Sahota and though Charu has been making earnest efforts to take her husband Vishal Kumar Sahota on work visa but on account of outbreak of

Covid-19, the matter has been delayed and the complainant is feeling agitated for the said reason and has lodged the present FIR. He further contended that daughter of petitioners is still making efforts to get visa for her husband Vishal Kumar Sahota and she would continue doing so. He further submits that the petitioners are ready and willing to join the investigation.

Notice of motion.

Mr. J.S. Ghuman, DAG, Punjab, accepts notice on behalf of the respondent-State. Sh. Ajiteshwar Singh, Advocate has also appeared on behalf of the complainant. He has contended that the petitioners along with their daughter have cheated the complainant and they do not deserve any concession of pre-arrest bail.

Adjourned to 6.4.2021.

I find it a fit case to grant interim bail to the petitioners. As such, the petitioners are directed to join the investigation by contacting the Investigating Officer within seven days from today and render all sort of co-operation. The petitioners have to surrender their passports before the Investigating Officer, if they have got ones, otherwise to furnish affidavit in that regard. If in the meanwhile, they are arrested, they be released on bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Manohar Lal, Police Station Navi Biradari states that in terms of the order passed by a Co-ordinate Bench of this Court reproduced before, the petitioners have joined the investigation and submitted their passports and no further interrogation of the petitioners is required at this stage.

In view of the above, the order dated 18.02.2021 granting interim bail to the petitioners is made absolute.

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

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioners are required for the investigation but are not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 17, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No