

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

206

CRM-M-9565-2020

Date of Decision: 28.06.2021

Harjit Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Gagandeep Singh Simble, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Sahab Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.9 dated 02.02.2020 at Police Station Shri Hargobindpur, District Batala, under Section 420 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, wherein the allegations against the petitioner are broadly to the effect that he had duped the complainant of an amount of Rs.1 lakh on the pretext of sending him to 'Dubai' and to get him employed.
2. At the time of issuance of notice of motion, the following order was passed on 04.03.2020:

“The learned counsel for the petitioner submits that the allegations against the petitioner are that he has duped the complainant of an amount of Rs.1 lakh on the pretext of sending him to 'Dubai' and getting him employment, but

true facts of the case are that the petitioner is admittedly a licenced travel agent and in fact the complainant had been sent to 'Dubai' and had also been provided with employment in Dubai, but the complainant being unable to cope up with the responsibility of employment returned back within one month while another identical person, who had been sent to 'Dubai', is still working there.

Notice of motion for 8.5.2020.

xx xx”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not wanted in any other case.
4. I have considered rival submissions addressed before this Court.
5. Having regard to the facts and circumstances of the case especially that the complainant had indeed been sent to ‘Dubai’ and that the petitioner has already joined the investigation and his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 04.03.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

28.06.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

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