

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

(Sr. No. 204)

**CRM-M No.11241 of 2020 (O&M)
Date of decision : 29.10.2021**

Tarlok Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Ms. Shivya Sehgal, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.33 dated 14.02.2020 registered under Sections 420 and 120-B IPC read with Section 24 of the Immigration Act, 1983 and Section 13 of the Prevention of Human Smuggling Act, 2012 at Police Station Jamalpur, district Ludhiana.

On 17.03.2020, this Court had passed the following order : -

“The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.33 dated 14.02.2020 registered under Sections 420 and 120-B of the Indian Penal Code, 1860 read with Section 24 of the Immigration Act, 1983 and Section 13 of the Prevention of Human Smuggling Act, 2012 at Police Station Jamalpur, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner who is aged 66 years has been falsely implicated in the case. The petitioner did not make any

fraudulent representation and did not receive any amount from the complainant. The amount was transferred to the account of his co-accused Lakhveer Singh. The petitioner is ready to join the investigation and his custodial interrogation is not required in the case.

Notice of motion.

On the asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to learned State counsel, who seeks time to complete his instructions.

Adjourned to 27.05.2020

In the meanwhile, the petitioner is directed to join the investigation as and when called upon by written notice to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on his furnishing of bail bonds to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the benefit of protection of interim bail allowed to him.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 17.03.2020, granting ad interim anticipatory bail to the petitioner is made absolute.

29.10.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

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