

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

(Heard through VC)

CRM-M-21586 of 2021 (O&M)
Date of Decision: May 31, 2021

Masam Das

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kuljit Singh Bal, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.93 dated 28.08.2020, registered under Section 420 IPC, Section 13 of Punjab Prevention of Human Smuggling Act and Section 13 of Punjab Travel Professional (Registration) Act at Police Station Behrampur, District Gurdaspur.

2. Counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the present case, as the allegations as set out in the FIR are not sustainable. It is argued that the petitioner is a victim of the crime and is not having any criminal antecedent. It is also

contended that one agent, who is residing abroad, has committed cheating with the petitioner as well as the complainant.

3. Notice of motion.

4. At this stage, Mr. Bhupender Beniwal, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State. Similarly, Mr. Munish Puri, Advocate accepts notice on behalf of the complainant. They oppose the grant of anticipatory bail to the petitioner, while contending that the complainant herein has been duped for an amount of ₹ 11,69,440/-

5. I have heard counsel for the parties and have gone through the pleadings of the case.

6. As per the FIR, the complainant has been duped to the tune of ₹ 11,69,440/- on the pretext of sending abroad. The petitioner herein has been specifically named in the FIR. There are serious allegations that have been levelled against the petitioner herein. The recovery of the cheated amount is yet to be effected from the petitioner. Under these circumstances, once custodial interrogation of the petitioner is required for a result oriented investigation, this court is not inclined to grant anticipatory bail to the petitioner.

7. In view of the above, the instant petition is hereby dismissed.

May 31, 2021
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable	Yes/No
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