

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

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CRM-M-28838-2021

DATE OF DECISION: 14.10.2021

MUKESH KUMAR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Shakti Mehta, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.86 dated 04.04.2018, under Section 420 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Tripri Patiala, District Patiala.

Learned counsel for the petitioner contends that it is alleged that the complainant had paid a sum of ₹2,97,000/- to the petitioner for sending him abroad. A sum of ₹1,47,000/- was deposited in the account of the petitioner while rest of the amount was alleged to have been paid in cash. He further contends that the FIR is outcome of a monetary dispute between the parties and the petitioner has deposited a sum of ₹1 lac with the trial Court without prejudice to his rights and contentions. He also contends that the petitioner is ready to settle the matter with the complainant who is stated to be residing abroad. He also contends that on return of the complainant to India, the petitioner will make every effort to settle the matter with him. The petitioner is not involved in any other criminal case.

As per office report, the complainant is stated to be gone abroad.

This Court, by order dated 10.08.2021 had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Japinder Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 10.08.2021 granting interim bail to the petitioner is made absolute.

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

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

14.10.2021

SwarnjitS

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