

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

(233)

CRM-M-33965-2021.
Date of Decision:-08.11.2021.

Vishu Arora

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Aakash Kumar Gupta, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.
(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.137 dated 09.07.2021 under Sections 420 of IPC and 13 of The Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Division No.6, Jalandhar.

On 20.08.2021, this Court was pleased to pass the following order:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.137 dated 09.07.2021 registered under Section 420 of the Indian Penal Code, 1860 and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, at Police Station

Division No.6, Jalandhar.

Learned counsel for the petitioner inter alia submits that the petitioner is engaged in the business of Air Ticketing as Sub-Agent of M/s Riya Travel and Tours, Bombay and he had never taken the money from the complainant and had sold the tickets as Sub-Agent and the said tickets were for Sharjah (UAE). However, the complainant overstayed and was thus expelled from there and, therefore, got the present FIR registered against the petitioner. It is further submitted that even as per the prosecution version, the complainant had gone to Armenia on Tourist Visa and had paid a sum of Rs.2,80,000/-, although he wanted to go to Romania on work permit. It is submitted that it is not possible to believe that somebody would not even know as to where he was going and would not even check the basic documents and at any rate, even as per his own version, he has gone abroad.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab appears and accepts notice on behalf of State of Punjab and has submitted that there are two more other FIRs registered against the petitioner.

Learned counsel for the petitioner has stated that in both the FIRs, the petitioner is on bail.

Adjourned to 08.11.2021.

In the meantime, in the event of arrest, the petitioner

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shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has submitted that in pursuance of the above order, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Baljinder Singh, has submitted that the petitioner has joined the investigation.

Keeping in view the above-said facts and circumstances, moreso, the fact that in pursuance of the order dated 20.08.2021, the petitioner has joined the investigation, the present petition for grant of anticipatory bail is allowed and the interim order dated 20.08.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

November 08, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No