

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 206

CRM-M-33970-2020

Date of decision : 10.02.2021

Harish Verma

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Manju Goyal, Advocate, for the petitioner.

Mr.H.S.Sitta, AAG, Punjab.

DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.39 dated 16.06.2019, registered under Sections 420/406/120-B IPC at Police Station Mehna, district Moga, Punjab.

Briefly stated, the case of the prosecution is that for getting immigration to Canada the complainant, on the asking of one Suresh Kumar Chawal paid Rs.14 lakhs to the petitioner and his co-accused but in spite of the same he was neither sent to Canada nor his money was returned.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case; the complainant had alleged that he paid Rs.14 lakhs to the petitioner and one Goldy but the falsity in the complainant's version was revealed when after investigation Goldy was found innocent; the petitioner has no connection with any travel agency and therefore there was no occasion for him to collect any money from the complainant; there is no evidence of receipt of money by the petitioner; there is no other criminal case in which the petitioner is involved; the petitioner's trial which is yet to begin will

take a long time to conclude and that under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully cooperated with the investigating agency.

Learned State counsel submits that under the interim orders passed by this Court the petitioner has shown his *bona fide* by joining the investigation and cooperating with the investigating agency and that his custodial interrogation is not required by the State.

Keeping in view the totality of the above noticed facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and that his custodial interrogation is not required, the order of this Court dated 23.10.2020, granting ad interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

10.02.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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