

206-3

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.41419 of 2021 (O&M)

Decided on: 03.12.2021

Gurpreet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Pathak, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.202 dated 06.12.2019 registered under Sections 420, 465, 467, 468, 471, 120 IPC and 13 of the Punjab Prevention of Human Smuggling Act, 2012, at Police Station Sadar Malout, District Sri Muktsar Sahib.

The operative part of the order dated 04.10.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“.... Counsel for the petitioner has relied upon the order dated 09.09.2021 passed in CRM-M No.34202 of 2021, vide which the co-accused of the petitioner has been granted the concession of interim anticipatory bail. The operative part of the said order, reads as under:-

“Counsel for the petitioner has referred to FIR No.110 dated 12.11.2018 under Sections 419, 420, 120-B

IPC at Police Station Chanakyapuri, New Delhi, to submit that the complainant (herein in the present FIR) was also one of the victim in the said FIR, registered at New Delhi and the petitioner has already been released on regular bail in the said FIR. It is further submitted that now the present FIR was registered by one of the victim on the similar set of allegations.

Counsel for the petitioner has also referred to an order passed by the Additional Sessions Judge, vide which another victim, who has filed the subsequent FIR has been granted the concession of anticipatory bail.

Reply by way of affidavit of the Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib, is on record and as per the reply, it is stated that the petitioner is facing trial in some other cases regarding cheating with persons for sending them abroad and providing fake VISA documents to them.

Considering the fact that the complainant in the present case is the same person, who was earlier the complainant in the FIR, registered at New Delhi wherein the petitioner was arrested and was granted the concession of regular bail.

List again on 03.12.2021.”

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State.

List again on 03.12.2021....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 04.10.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State assisted by counsel for the complainant and on instructions from ASI Amrik Singh, has not

disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 04.10.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

03.12.2021
yakub

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