

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

CRM-M-36428-2020

Date of decision:16.02.2021

Harmesh Lal

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Balbir Singh Jaswal, Advocate for the petitioner.
Mr. Mehardeep Singh Dullat, Addl. A.G., Punjab.
Mr. Manbir Singh Bath, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.83 dated 23.10.2020, registered at Police Station Sadar Nawanshahr, District SBS Nagar, under Sections 406,420 IPC, Section 13 of the Punjab Travel Professional's (Regulation) Act, 2014 and Section 24 of the Emigration Act, 1983.

On 06.11.2020, this Court passed the following order:-

“Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.83 dated 23.10.2020, registered at Police Station Sadar Nawanshahr, District SBS Nagar, under Sections 406,420 IPC, Section 13 of the Punjab Travel Professional's (Regulation) Act, 2014 and Section 24 of the Emigration Act, 1983.

Learned counsel for the petitioner states that out of the total amount of Rs.4,50,000/- paid by the complainant to the petitioner, the petitioner has already returned an amount of Rs.2,40,000/- to him. It is further submitted that the remaining amount of Rs.,2,10,000/-, shall be returned by the petitioner in four equal installments within a period of two months.

Notice of motion for 29.01.2021.

Meanwhile, the petitioner is directed to join the

investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438(2) of the Code of Criminal Procedure.

In the meantime, as per the undertaking given by the learned counsel for the petitioner, the petitioner shall pay the amount of Rs.2,10,000/- in four equal installments within a period of two months.”

On 29.01.2021, since the petitioner did not pay an amount of Rs.2,10,000/- to the complainant, learned counsel for the petitioner undertook that the petitioner would deposit the aforesaid amount by Monday i.e. 01.02.2021 with the Investigating Officer.

Learned counsel for the complainant states that now the petitioner has paid an amount of Rs.2,10,000/- to the complainant by way of demand draft dated 02.02.2021.

Learned counsel for the petitioner submits that pursuant to the order dated 06.11.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Raj Kumar, submits that the petitioner has joined the investigation and is not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 06.11.2020 passed by this Court granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

16.02.2021
ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No