

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

201

**CRM-M-43792-2020
Decided on : 26.08.2021**

Jobanpreet Singh

. . . Petitioner

Versus

State of Punjab

. . . Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
(Through Video Conferencing)**

PRESENT: Mr. Jasneet Mehra, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 122 dated 27.08.2020 under Sections 420, 465, 467, 468, 471 of IPC and Section 13(1) of Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station “C” Division, District Amritsar.

When this case came up for hearing on 23.12.2020 before a Coordinate Bench, the following order was passed:

“Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 122 dated 27.08.2020, under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860, besides Section 13 (1) of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station ‘C’ Division, District Amritsar.

Learned counsel for the petitioner contends that the allegations in the FIR are that the petitioner had taken a sum of ₹1,35,000/- from the complainant for sending him abroad. He, however, contends that the petitioner had obtained visa for the complainant, but due to Covid-19 pandemic the complainant could not travel abroad. The petitioner is willing to return the money to the complainant. He also contends that earlier his arrest had been stayed after recording statement of his counsel that he will return the money, but due to death of his father he could not do so.

Issue notice to the respondent.

At the asking of the Court, Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 10.02.2021.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

I n the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Thereafter, time was sought on 10.02.2021 and again on 08.04.2021 to comply with the above said order.

Learned State counsel, on instructions from SI Shamsheer Singh, informed the Court that the money has not been returned.

Learned counsel for the petitioner seeks permission to withdraw the present petition.

Dismissed as withdrawn.

(VIKAS BAHL)
JUDGE

26.08.2021
Mehak

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