

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

206

CRM-M-44108-2020

Date of Decision: 22.03.2021

Baljinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Anureet Singh Sidhu, Advocate,
for the petitioner.

Mr. Ramesh K. Ambavta, AAG, Haryana,
assisted by ASI Ramphal.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.0041 dated 04.03.2020 at Police Station Cheeka, District Kaithal, under Sections 406/420 IPC and Section 24 of the Emigration Act.
2. At the time of issuance of notice of motion on 28.12.2020, the following order was passed:

“Learned counsel for the petitioner contends that although in the FIR the complainant had raised allegations to the effect that he had given an amount of Rs.7 lakhs through bank to Baljinder Singh (petitioner) and Balwinder Soni for the purpose of sending his son abroad and that despite the said amount his son was not sent abroad but in fact the true picture is much different. It has been submitted that study visa for complainant’s son had been applied through M/s British Columbia which was in fact approved and issued in favour of complainant’s son and that as

per the visa the complainant's son was to go Latvia in the month of September, 2019 but since the complainant's son did not wish to wait till September, he applied for a visitors visa for Belgium which was declined as the authorities suspected something fishy since the petitioner had already been issued a student visa.

It has been submitted that the needful for applying and issuance of a student visa in favour of complainant's son had already been done and as such it cannot be said that M/s British Columbia or the petitioner had cheated the complainant in any manner.

Notice of motion for 22.3.2021.

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3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position, the petition is accepted and the interim directions issued by this Court vide order dated 28.12.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

22.03.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**