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

**CRM-M-46098-2019
Date of decision-14.09.2021**

RAMJAN SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Arpan Sabharwal, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

Mr. G.S. Brar, Advocate
for the complainant.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.241 dated 03.07.2019, under Sections 406 & 420 Indian Penal Code, 1860, Section 24 Immigration Act, 1983 & Section 13 Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Phillaur, District Jalandhar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 30.10.2019, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the

petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged oral agreement between the parties was made in the year 2017 and son of the complainant was called to the airport in February 2018 whereas the FIR has been got registered in July 2019. He further submits that it was the brother of the petitioner who had allegedly entered into the said deal with the complainant.

Notice of motion for 17.03.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Labh Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 30.10.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

14.09.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No