

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

**CRM-M-10415-2021
Date of decision: 28.01.2022**

Pardeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Monty Goyal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

None for the complainant.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 18 dated 25.01.2020, registered under Sections 420, 120-B IPC of the IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 at Police Station Sadar Nabha, District Patiala.

The operative part of the order dated 31.08.2021, vide which the petitioner has been granted interim bail, is reproduced below:

“Notice of motion was issued on 05.03.2021 after noticing some incriminating facts. Arrest of the petitioner was also stayed.

Learned counsel for the petitioner submits that on all the occasions, the payments were allegedly made to Randhir Singh. No amount was ever paid to the petitioner.

For the reasons recorded in the order dated 05.03.2021, it would be just and appropriate to direct the petitioner to appear before the SHO/Investigating Officer to join investigation on 04.09.2021 at 11.00 a.m. and in

the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion in the merits of the case. The case shall be decided on the merits on the adjourned date.

Adjourned to 09.11.2021.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 31.08.2021, has already appeared before the SHO/Investigating Officer and has joined the investigation. It is further submitted that no amount was paid to the petitioner as the entire amount was paid to Randhir Singh.

Learned counsel for the State, on instructions from ASI Amrik Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation. Learned State counsel further submits that in compliance with order dated 09.11.2021, the complainant has been duly informed about the date of the case.

In view of the above and also considering the fact that no one has chosen to appear on behalf of the complainant, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 31.08.2021, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

28.01.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*