

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

(Sr. No. 201)

CRM-M No.11454 of 2021

Date of decision : 01.02.2022

Balwinder Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : None for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. Munish Puri, Advocate for the petitioner.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 93 dated 28.08.2020 registered under Section 420 IPC, Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, Section 13 of the Punjab Travel Professionals Regulation, Act 2014, at Police Station Behrampur, district Gurdaspur.

On 31.08.2021, this Court had passed the following order : -

“Case taken up through Video Conferencing.

Learned counsel for the petitioner inter-alia contends that in the inquiry report dated 23.11.2020 by the Superintendent of Police, P.B.I. Organized Crime, Narcotics, Gurdaspur, the petitioner has been found innocent.

Notice of motion.

Mr. J.S. Ghumman, Deputy Advocate General,

Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 25.10.2021.

Before the adjourned date the State shall file a concise status report.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of his arrest in FIR No.93, dated 28.08.2020, registered under Section 420 IPC, Section 13 of Punjab Prevention of Human Smuggling Act, 2012, Section 13 of Punjab Travel Professionals Regulation, Act 2014 at Police Station Behrampur, District Gurdaspur, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer."

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that his custodial interrogation is not required by the State.

After considering the submissions recorded in the afore quoted order and the subsequent developments, it is directed that interim order dated 31.08.2021 passed by this Court be made absolute and it is so ordered.

01.02.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No