

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

CRM-M-37122-2018 (O&M)

Date of decision: 25.03.2022

Pawan Parbhakar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. A. K. Walia, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Varinder Basa, Advocate
for the complainant.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is a petition for regular bail under Section 439 of the Code of Criminal Procedure on behalf of the petitioner in case FIR No.133, dated 30.06.2018, registered under Sections 420, 406, 506, 34 of Indian Penal Code at Police Station Civil Lines Batala, District Batala and for offence under Section 13 of Punjab Prevention of Human Trafficking Act, 2008 added later on vide DDR No.29, dated 06.07.2018.

On 04.10.2018, the petitioner was granted the concession of interim bail by this Court, by passing the following order:

“...After completion of investigation, challan against him has been submitted under Sections 406, 420, 506 IPC and Section 13 of Punjab Prevention of Human Trafficking Act, 2008.

It is contended, inter-alia, on behalf of the petitioner that there is major mis-representation/material

concealment in the original FIR, inasmuch as, it was wilfully suppressed by the complainant that the alleged victim, namely, his son Tejinder Singh had actually returned to India and had arrived back on 12.05.2018, whereas in the FIR, the victim's whereabouts are shown to be untraceable.

Learned State counsel seeks a short adjournment of the proceedings to verify whether the affidavit dated 23.06.2018, as quoted by or not, and whether the same is actually genuine or fictitious document.

Let the matter, accordingly, come up for final orders on 13.11.2018.

Admittedly in the meantime, custodial interrogation of the petitioner is not called for, as the investigation against him is already complete. He may, therefore, be released on an interim bail till the next date of hearing, subject to the satisfaction of the Ld. Trial Court.”

Learned counsel for the petitioner submits that the petitioner was granted the interim bail on 04.10.2018 and since then, a period of about three and a half year has lapsed, however, the petitioner has not misused the interim bail in any manner.

Learned State counsel, assisted by learned counsel for the complainant, has not disputed the aforesaid fact.

In view of the same, the present petition is allowed and the order dated 04.10.2018, granting interim bail to the petitioner, is hereby confirmed.

25.03.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No