

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

CRM-M-34483 of 2021

DECIDED ON: 1st February, 2022

Manoj Kumar and another

.....PETITIONERS

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. S.K. Choudhary, Advocate for petitioners.

Mr. Amit Mehta, Sr. DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in case of FIR No. 5 dated 24.1.2020, under Sections 420, 120-B IPC and Section 13 of Punjab Travel Professional (Regulation), Act, 2014, registered at Police Station Division No. 2, Pathankot.

On 14.12.2021, following order was passed:

"The petitioners aggrieved of the order rejecting the prayer for grant of anticipatory bail in FIR No. 5 dated 24.1.2020, under Sections 420, 120-B IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Division No. 2, Pathankot is before this Court under Section 438 Cr.P.C.

The complainants alleged that Madan Lal, Manoj Kumar (petitioner), Sachin (petitioner) and Chaljit Kaur had duped them of Rs.8,60,000/- on the pretext of sending them abroad. From the allegations, it appears that the matter was compromised, some amount was refunded and for balance, cheques were issued which ultimately were dishonoured.

Learned counsel for the petitioners submits that it is a case of false implication, the cheques given for security were misused. He further submits that the petitioners are earnestly trying for amicable settlement and to show the bonafides, the petitioners offer to deposit Rs.1,00,000/- with the trial court/Illaqa Magistrate subject to outcome of the trial.

Learned counsel for the State opposes the prayer for grant of anticipatory bail. She submits that hard earned money of the complainants was duped and they were sent to a different country than the one promised.

Considering the nature of allegations and the fact that some amount was refunded and the offer made by the petitioners appears to be reasonable, the petitioners are granted interim bail subject to deposit of Rs.1,00,000/- within a week with the trial court/Illaqa Magistrate and their joining investigation within a week. In the event of arrest, they shall be released on bail subject to their furnishing adequate bail bonds to the satisfaction of the Investigating Officer. They are directed to join the investigation as and when called for. They shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

List on 10.1.2022."

Learned counsel for the petitioners fairly submits that after getting interim relief on 14.12.2021, the petitioners have neither adhered to the offer made in the Court nor contacted him. In such circumstances, he is not in position to pursue the matter.

Considering the conduct of the petitioners, no case is made out for confirming or extending the interim order.

The petition for anticipatory bail is rejected.

(AVNEESH JHINGAN)
JUDGE

1st February, 2022
reema

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>