

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

CRM-M-32726-2021

Date of decision-22.02.2022

Harinder Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rakshit Gupta, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.60 dated 22.07.2021 under Sections 406 and 420 Indian Penal Code, 1860, Section 24 Immigration Act, 1983 and Section 13 Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Khanauri, District Sangrur, who apprehends his arrest at the hands of Police.

On 13.08.2021, this Court had passed the following order:-

*Learned counsel contends that as per the allegations, admittedly, the complainant was induced by Lakhwinder Singh to jointly start a business at Fiji and the alleged amount was parted away by the complainant for the said purpose. It is pointed out that the complainant went to Fiji in January, 2020 and when the business could not pick up, the subject FIR No.60 dated 22.07.2021, under Sections 406 and 420 IPC, 1860, Section 24 Immigration Act, 1983 and Section 13 Punjab Prevention of Human Smuggling Act, 2012 was lodged and the petitioner, who is father of Lakhwinder Singh has been falsely implicated. According to learned counsel, the amount was utilized in purchase of machinery, which was sent to Fiji by the manufacturer.
Notice of motion for 02.12.2021.*

At this stage, Mr. Randeep Singh, Advocate appears on behalf of the complainant. 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.”

On 02.12.2021, the petitioner was again directed to join the investigation.

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Balwinder Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.08.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

22.02.2022
vanita

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