

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

CRM-M-29491-2022
Reserved on: 26.08.2022
Pronounced on: 05.09.2022

Manmohan Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Alisha Sharda, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, DAG, Punjab.

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ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
33	07.05.2022	Kalannaur, Distt. Gurdaspur, Punjab	420 IPC and 13 of Punjab Travel Professional (Regulation) Act, 2014

1. The petitioner apprehending arrest in the FIR captioned above had come up before this Court under Section 438 CrPC seeking anticipatory bail.
2. Vide order dated 13-07-2022, the petitioner was granted interim protection, which is continuing till date.
3. Ld. Counsel for the petitioner contends that the custodial investigation would serve no purpose whatsoever, and the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
5. Ld. counsel representing the State opposes bail.

REASONING:

6. The petitioner's explicit stand is that Visa was arranged but the complainant refused to go and sought refund, and the petitioner is still willing to fulfil the contract. Given this the possibility of the dispute being civil in nature is more probable. The petitioner was granted interim protection, and during the interregnum, there is no allegation that he had intimidated the victim or victim's family or the witnesses or that he had hampered the investigation, or despite being called to join the investigation, he did not appear before the investigator. Given the above, there would be no justification

to discontinue the interim protection, and the same is made absolute subject to the petitioner complying with the terms of the bail order and the following the undertakings given in the bail petition.

Petition allowed in aforesaid terms. Interim order is made absolute. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

05.09.2022
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Whether speaking/reasoned: Yes
Whether reportable: No.