

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 204

CRM-M-27435-2020

Date of decision : 07.03.2022

Pawan

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Parminder Singh, Advocate, for the petitioner.

Mr.Sumit Jain, Addl.A.G., Haryana.

Mr.Bhim Singh, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.99 dated 24.06.2020 registered under Sections 406 and 420 IPC and Section 24 of the Emigration Act, 1983 at Police Station Kunjpura, District Karnal.

On 11.09.2020 this Court had passed the following order: -

“Learned counsel inter alia contends that the petitioner introduced the complainant to an agent namely Balbir who undertaken the work to get sanction of visa of the son of the complainant. The complainant transferred the sum of Rs.7 lacs in the account of the petitioner and paid the rest of the amount in cash. Learned counsel submits that petitioner is ready and willing to join the investigation and he has only introduced the son of the complainant to agent.

Notice of motion for 01.12.2020.

On asking of the Court, Ms. Sheenu Sura, DAG, Haryana and Mr. Vijay Pal Singh, Advocate accepts notice on behalf of respondent-State and complainant respectively.

Learned counsel for the complainant states that the son of the complainant remained in jail for one year in Brazil. Further Rs.8 lacs were given in cash as well to the petitioner.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438 (2) Cr.P.C:-

- (a) that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (b) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (c) that the petitioner shall not leave India without the previous permission of the Court;
- (d) such other condition as may be imposed under sub section (3), as if the bail were granted under that section.”

Learned counsel for the petitioner submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation; the dispute which is the subject matter of the FIR in question stands compromised between the petitioner and the complainant and that in the other FIRs pending against the petitioner he has also entered into compromises with the respective complainants.

Learned State counsel does not dispute that the petitioner has joined and cooperated with the investigation.

Learned counsel for the complainant acknowledges the fact that the dispute which is the subject matter of the FIR in question stands compromised between the petitioner and his client.

In view of the above, the order of this Court dated 11.09.2020, granting ad interim anticipatory bail to the petitioner is made absolute.

07.03.2022

shamsher

[DEEPAK SIBAL]

JUDGE

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