

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

201

CRM-M-46353-2021  
Decided on : 18.02.2022

Gurdeep Singh

. . . Petitioner

Versus

State of Punjab

. . . Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**  
**(Through Video Conferencing)**

PRESENT: Mr. Sunil Agnihotri, Advocate  
for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Jasraj Singh, Advocate  
for the complainant.

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**VIKAS BAHL, J. (Oral)**

The present petition has been filed under Section 438 Cr.P.C.  
for grant of anticipatory bail to the petitioner in case FIR No. 66 dated  
06.05.2021 under Section 420 IPC and Section 13 of Punjab Travel  
Professionals (Regulation) Act, 2014 registered at Police Station Bullowal,  
District Hoshiarpur.

On 19.01.2022, this Court was pleased to pass the  
following order:

*“Learned counsel for the petitioner has submitted that  
the petitioner has not brought the demand draft of Rs.1 lac as  
ordered on 03.11.2021 but however, has prayed that one last  
opportunity be given to get said demand draft of Rs.1 lac and  
for the same, he has prayed for one week time.*

*The petitioner is directed to bring the demand draft of Rs.1 lac on the next date of hearing.*

*Adjourned to 18.02.2022.*

*It is clarified that no further adjournment shall be granted.”*

Learned counsel for the petitioner has submitted that the petitioner has not complied with the abovesaid order.

Learned State counsel and learned counsel for the complainant have submitted that in the present case, the FIR was registered on the allegations that the present petitioner alongwith other co-accused had taken an amount of Rs.7,80,000/- for sending the complainant's son abroad. It is further highlighted that as per the FIR, an amount of Rs.3,50,000/- was paid to the present petitioner.

Learned counsel for the complainant has submitted that during the course of enquiry, the factum of Rs.3,50,000/- having been paid to the present petitioner, has been admitted by him.

This Court has heard learned counsel for the parties and has perused the paperbook.

In the FIR, specific allegations have been made against the present petitioner to the effect that he and his sister Aman had come to the house of the complainant in May, 2019 and had assured to send the son of the complainant i.e. Jattin to Portugal on a work permit and for the said purpose, the deal was struck at Rs.8,00,000/- and thereafter, the petitioner alongwith other accused introduced the complainant and her son to Mohammad Sadiq Khan and after the money was paid to the said

accused, the son of the complainant was taken upto Georgia but he was not taken to Portugal, for which the money had been paid and from Georgia, the son of the complainant had to return back to India. Further, from the case of the prosecution, it is apparent that Rs.3,50,000/- was paid to the petitioner and the petitioner has neither repaid the said amount nor has he sent the son of the complainant to Portugal. Even, the order of this Court dated 19.01.2022 has not been complied with.

Keeping in view the abovesaid facts and circumstances, the present petition for anticipatory bail is dismissed.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

**(VIKAS BAHL)**  
**JUDGE**

**February 18<sup>th</sup>, 2022**

*Mehak*

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No