

203 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-5590-2023

Date of Decision: 20.04.2023

Inderjeet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Amarbir S.Salar, Advocate
for the petitioner.

Mr. Harjinder Singh Sidhu, AAG, Punjab.

HARSH BUNGER J. (ORAL)

Petitioner (Inderjeet Singh) has filed the present petition under Section 438 of the Code of Criminal Procedure seeking grant of anticipatory bail in case FIR No.145 dated 14.09.2022, under Sections 120-B, 406 & 420 of the Indian Penal Code and Section 13 of the Punjab Travel Professionals Act, registered at Police Station Nakodar Sadar, Jalandhar.

2. On 22.02.2023, the following order was passed by this Court :-

“Prayer in the present petition, filed under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail to the petitioner in case FIR No.145 dated 14.09.2022 registered under Sections 406, 420, 120-B of Indian Penal Code and Section 13 of Punjab Travel Professionals Act, registered at Police Station Nakodar Sadar, Jalandhar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the FIR was registered on the basis

of the statement made by one Paramjit Kaur (complainant) W/o Gurmej Singh, wherein she has named four persons namely Lehmbhar Singh S/o Gian Singh, Pooja W/o Lehmbhar Singh, Gian Singh and Harbhajan Singh @ Raja sons of Gian Singh. Learned counsel further submits that the petitioner was not named in the present case and no allegation were made on the petitioner regarding receiving of any money. It is further submitted that the petitioner is running a consultancy firm under the name of Nirvair Overseas, which is duly registered and is authorized under the Punjab Travel Professional Regulation Rules, 2013 and has a valid license for consultancy till 28.09.2026. Learned counsel further submits that the petitioner was approached by Lehmbhar Singh and Gian Singh (father of Lehmbhar Singh) in order to arrange VISA and ticket for their relative Harkaran Kumar (son of Paramjit Kaur) and for the said purpose the petitioner charged his professional fee and arranged the VISA and air tickets in the name of Harkaran Kumar (son of Paramjit Kaur) for Dubai in the intervening night of 20.12.2020/21.12.2020 and from there Harkaran Kumar (son of the complainant) was sent to Serbia. It is further submitted that the petitioner had only charged money for the expenses of VISA and air tickets, as asked by Lehmbhar Singh and his father Gian Singh. Learned counsel further submits that the petitioner received notice from the police regarding one complaint No.579 dated 12.03.2021 filed by Paramjit Kaur (complainant) and as the petitioner has never met the complainant, he asked Lehmbhar Singh and Gian Singh (father of Lehmbhar Singh) about the complaint, and they told that complainant is the mother of Harkaran Kumar, who is deported from Greece and in that regard his mother filed a complaint against all of them. It is further submitted that the petitioner was told by Lehmbhar Singh and Gian Singh that the matter has been compromised with the complainant and told the petitioner to deposit Rs.3,00,000/- in the account of Gian

Singh. It is stated that as the petitioner is a genuine businessman and did not want any trouble, he deposited the above said amount in the account of Gian Singh through RTGS on 24.03.2021 (Annexure P-4). It is further submitted that the present FIR has been registered after a delay of more than 18 months from the date of complaint. He further submits that on similar allegations another case FIR No.144 dated 14.09.2022 was also registered against petitioner under Section 406, 420, 120-B of Indian Penal Code and Section 13 of Punjab Travel Professional Regulations Act, wherein petitioner has been granted interim bail vide order dated 16.02.2023 in CRM-M-8129 of 2023. It is also submitted that the petitioner is ready and willing to join investigation as and when required by the Investigating Agency or as directed by this Court or trial Court.

Learned counsel appearing on behalf of the State opposes the petitioner's plea for bail on the ground of seriousness of the offence, however, it is not disputed by learned State counsel that the petitioner is not named in the complaint and also that petitioner has been granted interim bail in case FIR No.144 dated 14.09.2022.

List on 20.04.2023.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim bail to the satisfaction of the Investigating/ Arresting Officer. However, he shall join the investigation as and when directed by the Investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner submits that pursuant to the aforesaid order, petitioner has joined the investigation.
4. Learned State counsel, on instructions from Assistant Sub Inspector Jorawar Singh, has not disputed the aforesaid fact of joining the investigation by petitioner and submits that his custodial interrogation is not

required at this stage.

5. Heard learned counsel for the parties.

6. Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, order dated 22.02.2023, passed by this Court, is made absolute.

7. However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

8. It is made clear that if the petitioner fails to comply with any of the directions issued above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.

9. Present petition is accordingly disposed of.

20.04.2023

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No