

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

CRM-M-7191-2023

Date of Decision: 11.05.2023

**HARPREET SINGH
VS**

..... PETITIONER

STATE OF PUNJAB AND ANOTHER

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Sushil Saini, Advocate for
Mr. H.S.Rakhra, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

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The prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.5, dated 09.01.2023 under Sections 420, 120-B IPC registered at Police Station Sadar Khanna, District Khanna.

Vide order dated 27.02.2023, the following order was passed by this Court:-

“Learned counsel for the petitioner states that the petitioner was working with one Pardeep who was running a concern as Proprietor, known as R. K. Brother Immigration Consultancy, which was given license for the immigration consultancy. The petitioner was working only as an employee in the said concern and only consultancy services were provided by the petitioner to the complainant. A sum of Rs.5,000/- was charged as consultancy fee. Return to that effect was also filed. Copy of the return is placed on the file. The complainant was sent to Dubai by R. K. Brother Immigration, which is being controlled by one Gurpreet Singh, who is recruiting agent as per license issued in the name of R. K. Brother Immigration. The complainant got training in Dubai

regarding his employment. He was issued documents but he returned to India on his own. Neither the petitioner charged any fee from the complainant for sending him to Dubai nor he was instrumental in sending him to Dubai for work, except consultancy was provided to him.

As per version of the complainant, a sum of Rs.2,30,000/- was paid. The same was paid to R. K. Brother Immigration.

Without discussing merits of the case in hand, the petitioner is directed to deposit a sum of Rs.1,50,000/- in the Court of learned Chief Judicial Magistrate, Ludhina, within 15 days from the date of receipt of a certified copy of this order. A copy of the receipt against the amount so deposited be produced before the police. In the event of his doing so, he is directed to join investigation as and when so required by the Investigating Agency. He shall be admitted to interim bail by the Arresting Officer/Investigating Officer on furnishing of bail bonds/surety bonds by him to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

List on 11.05.2023.”

Learned counsel for the petitioner submits that in compliance of order dated 27.02.2023, Rs. 1.50 lacs has already been deposited in the trial Court. He has produced a receipt amounting to Rs. 1.50 lacs. A photocopy of the receipt has been placed on file.

Learned State counsel, on instructions from ASI Surjit Singh (58) Khanna submits that in compliance of the order dated 27.02.2023, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 27.02.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in

letter and spirit.

A sum of Rs.1.50 lacs deposited by the petitioner is ordered to be kept in the FDR by learned Chief Judicial Magistrate, Ludhiana and at the time of disposal of the case if the petitioner is convicted, the same can be used for awarding compensation to the victim.

Petition stands disposed of in the above terms.

11.05.2023		(GURBIR SINGH)
renu		JUDGE
	<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
	<i>Whether reportable</i>	<i>Yes/No</i>