

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

CRM-M-15375-2023

Date of Decision: 04.12.2023

DALIP CHOPRA

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Himanshu Raj, Advocate,
Mr. Pranav Goyal, Advocate,
Mr. Anshu Chaudhary, Advocate and
Ms. Sapna Randhawa, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

Mr. Gaurav Datta, Advocate for
Mr. Vaibhav Bhargav, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.13 dated 28.01.2023 under Section 420 IPC registered at Police Station Sadar Shri Muktsar Sahib, District Shri Muktsar Sahib.

2. Vide order dated 27.03.2023 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“The counsel for the petitioner inter alia contends that the petitioner is falsely implicated in the present case and has nothing to do with the alleged admission of son of the complainant in M College, Montreal, Canada. The counsel further submits that complainant or his son never made payment of any money to the petitioner and from the perusal of bank account statement of Hargobind Singh son of complainant, it transpires that the payment if any was directly made by said Hargobind Singh to aforesaid M College. The counsel for the petitioner submits that the petitioner is registered travel agent under the Punjab Prevention of Human Smuggling Rules, 2013 read with Punjab Travel Profession Regulation to carry out the profession of immigration consultancy. The counsel for the petitioner submits that the petitioner who is having no criminal history is ready to join investigation with the police.”

3. Learned counsel for the petitioner submits that in compliance of order dated 27.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel does not dispute the factum of the petitioner having joined the investigation and cooperated with the investigating agency. He submits that the petitioner is not required for further investigation much less for their custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 27.03.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the respondent would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
(JUDGE)

04.12.2023

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