

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(212)

CRM No. M-17070 of 2023
Date of Decision : 13.07.2023

Bikramjeet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sanjeev Sharma, Advocate for
Mr. Gurjinder Singh Thind, Advocate for the petitioner.

Mr. Jaswinder Singh Arora, Deputy Advocate General,
Punjab.

Mr. K.S. Brar, Advocate for the complainant.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.0046 dated 21.02.2023 under Sections 406/420 IPC, registered at police Station Patran, District Patiala.

Learned counsel for the petitioners contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 11.04.2023. Order dated 11.04.2023 is as under:-

“The petitioner is seeking anticipatory bail bearing FIR No. 0046 dated 21.02.2023 under Sections 406/420 IPC, registered at police Station Patran, District Patiala.

Learned counsel for the petitioner contends that as per the allegation, the petitioner had received a sum of Rs. 16,61,945/- for providing study Visa for the daughter of the complainant. It has further been alleged in the FIR that a sum

of Rs. 4,00,000/- was paid to the petitioner in advance. In fact, the petitioner had no role in the transaction. The petitioner had only advised the complainant to contact Globe Overseas Company for the purpose, which is being run by one Jatinder Mukhi. The amount pertaining to the fee was directly paid by the complainant party through RTGS in the account of the concerned University. The daughter of the complainant had also attended online classes. However, her performance was not good and she was not granted visa. Even Jatinder Mukhi has returned a sum of Rs. 4.5 lacs to the complainant party and a sum of Rs. 1,14,000/- has been refunded by the University.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice on the behalf of the respondent – State of Punjab and seeks adjournment to get instructions in the matter.

Adjourned to 05.07.2023.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Pawan Kumar states that in terms of the order dated 11.04.2023 reproduced before, the petitioner has joined the investigation and no further interrogation is required.

In view of the above, the order dated 11.04.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands allowed in above terms.

July 13, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No