

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-44019-2023

Date of decision: 07.11.2023

Uday Raj and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Umesh Aggarwal, Advocate
for the petitioners.

Mr. Digvijay Nagpal, AAG, Punjab.

Ms. Aayushi Jinda, Advocate
for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.125 dated 27.09.2019 for the offences under Sections 420, 120-B IPC and Section 13 of the Punjab Travel Professionals Act, 2014 registered at Police Station Majitha Road, District Amritsar.

2. On 04.09.2023, while noticing the following submissions made by the learned counsel for the petitioners, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation:-

“Learned counsel, inter alia submits that admittedly the petitioners were running a travel agency. He further submits that no doubt the petitioner had taken ₹28.00 lacs from the complainant by giving assurances that he would be sent to Canada, however subsequently, there had been some change in the Canadian policy qua immigration, as a result of which the petitioner was unable to abide by the assurances given. It has been submitted that the amount of

₹ 28.00 lacs, which had been taken from the complainant, has since been returned to him.”

3. Learned counsel for the petitioners submits that in compliance of order dated 04.09.2023, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Jaspal Singh, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioners are 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 04.09.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

07.11.2023

(MANJARI NEHRU KAUL)

Vinay

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No