

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48397-2023
Date of Decision :- 07.12.2023

Ram Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Sanjeev Goyal, Advocate
for the petitioner.

Mr.Arun Luthra, DAG, Punjab.

Mr.J.S. Bhinder, Advocate
for the complainant.

SUVIR SEHGAL, J. (ORAL)

1. Instant petition has been filed under Section 438
Cr.P.C. seeking grant of anticipatory bail in:-

FIR No.	Dated	Police Station	Section(s)
153	12.08.2023	Lehra, District Sangrur	420, 120-B IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012.

2. Upon instructions received from ASI Harjoginder

Singh, State counsel submits that petitioner has joined the investigation and is not required for custodial interrogation. He has instructions to state that the cheated amount is to be recovered from him.

3. Counsel for the complainant has supported the submissions of the State counsel regarding the refund of the amount.

4. Heard counsel for the parties.

5. The proceedings for grant of bail cannot be converted into recovery proceedings nor can any pre-condition be imposed upon the petitioner to deposit the amount while confirming the bail.

6. In view of the above, but without commenting upon the merits of the allegations, petition is allowed. Order dated 25.09.2023 is made absolute, subject to satisfaction of conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

07.12.2023
Brij

(SUVIR SEHGAL)
JUDGE

Whether reasoned/speaking
Whether reportable

: Yes/No
: Yes/No