

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

**CRM-M-52464-2022 (O&M)
Date of decision : 28.07.2023**

Robin Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Amish Sharma, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.71 dated 05.05.2022, under Sections 420, 120-B of the Indian Penal Code, 1860 (*for short 'the IPC'*) and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Dasuya, District Hoshiarpur.

(2) It transpires that above FIR was registered on the basis of statement made by complainant-Inderpreet Singh to the effect that petitioner and his co-accused Ranjit Kaur promised to send him to Luxemburg on work

permit visa for one year to work in a Hotel on payment of Rs.8,50,000/-. On asking of the petitioner, complainant deposited Rs.7 Lakh in different bank accounts given by him; but neither the complainant was sent abroad; nor amount has been returned.

(3) The Coordinate Bench, vide order dated 15.11.2022, granted interim bail to petitioner and the same reads as under:-

“The petitioner has filed this petition seeking grant of anticipatory bail in case FIR No.71 dated 5.5.2022 under Sections 420, 120-B of the IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 registered at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioner, inter alia, submits that the different accounts wherein the amounts have been deposited by the complainant do not belong to the petitioner and no money has been transferred in the account of the petitioner. The petitioner has never promised to send the complainant abroad. Learned counsel submits that the petitioner is already ready and willing to join the investigation.

Notice of motion.

On the asking of this Court, Mr. Jaspal Singh Guru, AAG, Punjab accepts notice on behalf of the respondent-State. He seeks time to have instructions.

Adjourned to 17.2.2023.

In the meanwhile, the petitioner will join investigation and appear before the Investigating Officer within 10 days from today at the aforesaid police station. On doing so, the petitioner shall be released on interim anticipatory bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/ Investigating Officer. However, the petitioner shall continue to join investigation as and when called for and shall abide by the conditions as provided under Section 438(2) of the Cr.P.C.”

- (4) Learned State Counsel on instructions from HC Mandeep Singh submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
- (5) In view of above, interim order dated 15.11.2022 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (6) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (7) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (8) Disposed off accordingly.

July 28th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>