

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-52451-2022 (O&M)

Date of decision : 27.3.2023

Pankaj Kumar alias Lucky

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Atinderpal Singh, Advocate, for
Mr. Bharat Puri, Advocate,
for the petitioner.

Mr. Sanish Girdhar, AAG, Punjab.

Mr. Umesh Kumar Kanwar, Advocate,
for the complainant.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.147 dated 21.8.2022 registered under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Division No.7, District Police Commissionerate Jalandhar.

The allegations in nutshell are that the accused persons including the petitioner took money from the complainant under the pretext of sending him abroad but thereafter, the accused persons failed to fulfill their promise and also refused to return the money and passport to the complainant but as per FIR, there are specific allegations against the petitioner that he received amount of ₹ 66,000/- out of the total disputed

amount and passport from the complainant and thereafter, refused to return

the same.

Counsel for the petitioner submits that the petitioner has joined the investigation in compliance of previous order passed by Coordinate Bench of this Court and further submits that in order to show his bonafide, the petitioner is also ready to deposit half of the disputed amount of ₹66000/-.

Counsel appearing on behalf of the complainant submits that passport of the complainant is yet to be recovered from the petitioner and in all, the accused persons took ₹ 6,50,000/- from the complainant which remain to be recovered.

State counsel on instructions from ASI Jagtar Singh submits that the petitioner has joined the investigation and is not required by the police for further investigation or custodial interrogation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 22.12.2022 is hereby made absolute subject to deposit of ₹ 40,000/- by the petitioner in the Court of Area Magistrate concerned within next 15 days, failing which, the prosecution/complainant will be at liberty to seek cancellation of the bail of the petitioner and subject to the conditions as envisaged under Section 438(2) Cr.P.C.

The aforesaid deposit will be subject to final decision of the trial.

(KARAMJIT SINGH)
JUDGE

March 27, 2023

Paritosh Kumar

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No