

214 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CRM-M-13351-2024

Date of Decision: 20.03.2024

Firoz Talwar

...Petitioner

vs.

State of Punjab

...Respondent

Coram : **Hon'ble Mr. Justice N.S.Shekhawat****Present :** Mr. A.P.S.Sandhu Advocate
 for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 438 of Cr.P.C., with a prayer to grant anticipatory bail to him in case FIR No.0182 dated 11.10.2023, registered under Section 420 of IPC and 13 of Punjab Travel Professionals (Regulation) Act, 2014, at Police Station Cantonment Police Commissionerate Amritsar.

2. Learned counsel for the petitioner contends that in the present case, an amount of Rs.1,50,000/- was deposited in the account of Aashima Sawhney, who has been granted the concession of anticipatory bail by this Court, vide order dated 26.02.2024 passed in CRM-M-4561-2024 (Annexure P-3). He further contends that the petitioner had never acted as a travel agent and no amount was ever transferred any of his account. He further contends that the petitioner has never assured the complainant that the petitioner will sent abroad and had no concern with the allegations levelled in the present FIR.

Learned counsel further contends that apart from the present FIR, one more case i.e. FIR No.63 dated 17.04.2023 under Sections 420/34 of IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 was also registered against the present petitioner, however the said matter has been compromised between the parties and the petitioner is on bail in the said case.

3. On the other hand, learned State counsel, assisted by learned counsel for the complainant have vehemently opposed the submissions made by learned counsel for the petitioner on the ground that very serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail, by this Court.

4. I have heard learned counsel for the parties and perused the record.

5. In the present case, an amount of Rs.1,50,000/- was deposited in the account of Aashima Sawhney, who has been granted the concession of anticipatory bail by this Court, vide order Annexure P-3. Even no amount was transferred in the account of present petitioner. Thus, custodial interrogation of the present petitioner may not be required, at this stage.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

(N.S.SHEKHAWAT)
JUDGE

20.03.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No