

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

CRM-M-21269-2023 (O&M)
Date of Decision: 06.02.2024

...Petitioners

V/S

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr.P.S. Ahluwalia, Advocate with
Mr. Keerat Dhillon, Advocate for the petitioners.

Mr. Subhash Godara, Addl. AG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. Through the instant petition, the petitioners are seeking anticipatory bail in case FIR No. 0067 dated 17.04.2023 registered under Sections 420, 465, 467, 468, 470 and 471 of Indian Penal Code at Police Station Canal Colony Bathinda, District Bathinda.

2. On 01.05.2023, following order was passed:

“The prayer in this petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No. 0067 dated 17.04.2023 (Annexure P-1) under Sections 420, 465, 467, 468, 470, 471 IPC registered at Police Station Canal Colony Bathinda, District Bathinda.

Learned counsel for the petitioners submits that FIR has been registered on the basis of secret information. None came forward to make any complaint at that time. As per allegations certain person formed a fake firm in the name of Jozzniry Headhunter and they were duping people in the name of sending them abroad including country like Canada. The raid was conducted. Seven persons were arrested. Petitioners were neither present there nor has any connection with the said firm/ company. Later on, Police recorded statement of two persons namely Deepak and

Raghubir Singh who had paid a sum of Rs. 50,000/- and Rs. 8.5 lacs respectively. The said amount was transferred in the account of different person. Not even single penny was transferred in the account of the petitioners. He further submits that the petitioners have no contact or concern with the said Deepak and Raghubir Singh. Learned counsel for the petitioners has further submitted that no other case is pending against the petitioners. They have falsely roped in this case.

Notice of motion.

On asking of the Court, Ms. Himani Arora, AAG, Punjab appears and accepts notice on behalf of the respondent-State and seeks time to file status report. A copy of the paper book be supplied to her during the course of the day.

Adjourned to 05.07.2023.

Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite. The video footage of the place of raid be taken into custody immediately and be preserved. In the report it be specifically mentioned if petitioners have been visiting the said place or not.

In meantime, no coercive steps shall be taken against the petitioners and the investigation shall continue.”

3. Learned State counsel on instructions from ASI Gurmeet Singh submits that in compliance of aforesaid order, both the petitioners have joined the investigation, however, they have not handed over their mobile phones and laptop, which is required for the purpose of investigation in the present case.

4. Faced with the same, learned counsel for the petitioners submits that the petitioners are ready to again join the investigation and they will submit their mobile phones and laptop with the Investigating Agency within a period of 02 weeks.

5. In view of the above, the order dated 01.05.2023, is made absolute. The petitioners shall abide by the terms and conditions enumerated in Section 438(2) of Cr.P.C. and they are directed to join the investigation as and when called upon to do so.
6. The petition is accordingly allowed.

06.02.2024
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No