

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

211

2024:PHHC:015194

CRM-M-44552-2023

Date of decision: February 5th, 2024

Piyush Gupta and others

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajesh Khandelwal, Advocate
for Mr. Kuldeep Khandelwal, Advocate
for the petitioner.

Ms. Trishanjali Sharma, Deputy Advocate General,
Haryana.

Mr. Rahul Jaswal, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.181 dated 17.05.2023 under Sections 406, 420 of the Indian Penal Code, 1860, and Section 24 of Immigration Act, 1983, registered at Police Station Model Town, Panipat.

2. Learned counsel for the petitioners, at the outset, submits that during the pendency of the instant petition, petitioners No.1 was involved in another criminal case and has been arrested and hence, he would not press the instant petition qua him. It has been further submitted that the instant petition qua petitioner No.4 has already been withdrawn.

3. Vide order dated 06.09.2023, the petitioners had been

granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel inter alia contends that false allegations have been levelled against the petitioners that they along with coaccused had lured and duped the complainant into parting with a sum of ` 5.60 lacs on the pretext of sending him abroad. Learned counsel submits that the petitioners have clean antecedents and are not even running any Immigration Agency and hence, there was no occasion for them to have given any assurance to the complainant to help him in getting visa for going abroad.”

4. Learned counsel for the petitioners submits that in compliance of order dated 06.09.2023, the petitioners have joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. She on further instructions submits that petitioners No.2 and 3 are not required for further investigation much less for their custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 06.09.2023 is made absolute qua petitioners No.2 and 3 only subject to the conditions laid down in Section 438(2) Cr.P.C.

February 5th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No