



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

CRM-M-44911-2024

Date of Decision : 20.11.2024

SAURAV RANA

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. S.S.Bedi, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. Himanshu Chhabra, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. On 10.09.2024, this Court had passed the hereinafter
extracted order, upon the instant petition:-

“1. Through the instant petition, as instituted under Section 482 of the B.N.S.S., 2023, the petitioner seeks the concession of pre-arrest bail, in case FIR No.48 dated 01.04.2024, under Sections 420/406/120-B of the IPC, registered at P.S. Bhawanigarh, District Sangrur.

2. The learned counsel for the petitioner submits that, consequent upon the complainant showing his interest to visit Portugal and agreeing to improve his travel history, the petitioner got him sanctioned 07 visa applications and made him travel 05 countries. In lieu of these services provided by petitioner to the complainant, the petitioner received an amount of Rs.3,38,000/-, out of which, an amount of Rs.50,000/- has even been returned to the complainant.

3. Lastly, the learned counsel for the petitioner submits that custodial interrogation of the petitioner is not required, as all the documents have already been taken into possession by the investigation officer. He further submits that the petitioner is ready to join the investigation and to cooperate with the investigating officer.

4. Notice of motion for 23.10.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of the B.N.S.S., 2023.”

2. Upon not complying with the directions issued vide hereinabove extracted order, the petitioner was again directed to join the investigation vide order dated 23.10.2024.

3. Today, the learned State counsel has, on instructions imparted to him by the official concerned, stated that pursuant to the making of the hereinabove extracted order, though the petitioner(s) has joined investigation, however, the disputed amount is yet to be recovered.

4. Considering the fact that the petitioner has joined the investigation, and has co-operated with the investigating officer, and non-recovery of amount cannot be a ground, for declining the relief of anticipatory bail to the present petitioner, as the instant proceedings of granting anticipatory bail cannot be converted into a suit for recovery, for which the complainant has an alternative remedy, and further considering the gravity of the allegations, the hereinabove extracted interim order dated 10.09.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

5. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall

be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

7. All pending application(s), if any, also stand **disposed** of accordingly.

November 20, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No