

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-46416-2024
Date of Decision:18.09.2024

Ajay Chopra ...Petitioner
vs.
State of Punjab and Anr. ...Respondents

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Amandeep Singh Manaise, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of B.N.S.S with a prayer to grant anticipatory bail to him in case FIR No.122 dated 22.06.2024 under Sections 406,420,506,120-B of IPC and Section 24 of Immigration Act, registered at Police Station Khanna City-2, Police District Khanna, District Ludhiana.
2. Learned counsel for the petitioner contends that the allegations levelled against the petitioner are apparently false and unbelievable. The petitioner was never doing the work of immigration nor made any promise to anyone for sending abroad. In the present case, the complainant himself is running a firm M/s Alexore Immigration, Khanna, whereas, co-accused Aditi Goel, was also running similar business under the name and style of M/s Adite’s Learning Space in Ludhiana and both the complainant and co-accused Aditi Goel had entered into a business service agreement dated 19.02.2024 (Annexure P-2). The petitioner was neither a party to the said agreement nor

was a signatory to the said agreement and all the transactions had taken place between the complainant and co-accused Aditi Goel. Learned counsel further contends that the petitioner had only received a sum of Rs.50,000/- in his account, however, the same was transferred by him to Bakul Goel, brother of Aditi Goel. Learned counsel further contends that in the present case, the main allegations have been levelled against Aditi Goel, co-accused, who has already been admitted to bail and the final report under Section 173 Cr.P.C has also presented against her. Another accused Urvashi was also arrested and has been admitted to bail. Since the entire incriminating evidence has already been collected by the police and the petitioner is ready to join the investigation, as and when required by the police.

3. On the other hand learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner was hand in glove with Aditi, co-accused and both of them had caused loss to the tune of Rs.35 lacs to the complainant and the petitioner does not deserve the concession of bail and his custodial interrogation is impartive.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. In the present case, it is not in dispute that the agreement (Annexure P-2) was executed between the complainant and Aditi Goel, co-accused. Aditi Goel and Urvashi Goel, co-accused were arrested in the present case and have been admitted to concession of bail by the Court. Apart from that, the final report under Section 173 Cr.P.C has already been presented against them and the custody of the petitioner may not serve any meaningful purpose, at this stage.

6. Consequently, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Sections 482 (2) of the B.N.S.S. It will be open for the Investigating Officer to call the petitioner to join the investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 482 (2) of the B.N.S.S.

18.09.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No