



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

CRM-M-60489-2023

Date of decision : 18.09.2024

Damanpreet Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Ms. G.K. Mann, Senior Advocate with
Mr. Sunil Kumar, Advocate
for the petitioner.

Mr. J.S. Arora, D.A.G., Punjab.

Mr. R.S. Baweja, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.0117 dated 27.10.2023, under Sections 420, 406 and 506 of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station City Samana, District Patiala.

2. Vide order dated 06.12.2023, while granting interim protection, the petitioner was directed to join investigation.

3. Learned Senior counsel for the petitioner has submitted that pursuant to order dated 06.12.2023 petitioner has joined the investigation and as such his interim bail may be made absolute.

4. Learned State counsel, on instructions from ASI Shinder Singh, affirmed the fact that the petitioner has joined the investigation however, recovery of the amount involved in the present case is yet to be effected.



5. Learned counsel for the complainant has opposed the same and submits that no recovery has been effected from the petitioner.

6. On hearing counsel for the parties and perusing the record, it is apparent that the petitioner has joined the investigation. With regard to the recovery part, it is settled law that non-recovery of the amount cannot be held as a valid ground for rejection of anticipatory bail. So keeping in view the above said facts, interim order dated 06.12.2023 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

18.09.2024
ps-I

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