



CRM-M-3431-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-3431-2025
Decided on: 12.03.2025

SUMIT KUMARPetitioner
Versus

STATE OF PUNJAB AND ANRRespondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Sumit Kumar	106	12.06.2024	406, 420 and 120-B IPC	Division No.6	Police Commissione rate Jalandhar

2. As per office report, respondent No. 2 stands served, but no one has appeared on his behalf.

3. On 22.01.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 406, 420 and 120-B of IPC, in a case arising out of FIR No.106, dated 12.06.2024, registered at Police



Station Division No.6, District Police Commissionerate Jalandhar.

2. Counsel for the petitioner contends that as per the allegations, complainant - Sher Singh had deposited a total amount of Rs.4,00,000/- for sending him to Canada. In the account of the petitioner, Rashpal Singh, who as per the complaint is relative of the complainant, has transferred an amount of Rs.1,50,000/- and petitioner is ready to return the said amount back to the account of said Rashpal Singh.

3. Notice of motion.

4. On advance notice, Mr. Amandeep Singh, DAG, Punjab puts in appearance on behalf of respondent No.1 - State, and seeks time to file status report.

5. Adjourned to 12.03.2025.

6. In the meanwhile, subject to the returning of amount of Rs.1,50,000/- in the account of Rashpal Singh, petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023.

7. Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.

8. Let respondent No.2 - complainant be also informed about the next date fixed by the Investigating Officer. ”

4. Learned State counsel has filed status report by way of affidavit of Sirivennela IPS, Assistant Commissioner of Police, Model Town Jalandhar, in the Court today. Same is taken on record.

Learned State counsel informs the Court that in compliance to the directions passed by this Court, petitioner has returned an amount of Rs.1,50,000/- to the complainant and thereupon has joined the investigation. Learned State counsel submits that as of now, custodial interrogation of the petitioner is not required.

5. Heard learned counsel for the parties and perused the status report. In view of the statement made by learned State counsel, present



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petition is allowed and ad-interim order dated 22.01.2025, passed by this Court is hereby made absolute.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

6. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

March 12, 2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No