



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

CRM-M-9369-2025
Date of decision: 06.05.2025

VIVEK KUMAR SHARMA

....PETITIONER

Versus

STATE OF PUNJAB

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. G.S. Jagpal, Advocate
for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG, Punjab.

Mr. Bhuwan Luthra, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
91	14.07.2024	420 of IPC	Division No.8, District Ludhiana.

2. Learned counsel for the petitioner submits that in compliance to the order dated 05.03.2025 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 05.03.2025.

3. Learned State counsel intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



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4. Learned counsel for the complainant opposed the submissions made by learned counsel for the petitioner. Hence, prays for dismissal of the petition.

5. During the course of hearing on 05.03.2025, following order was passed:

“ ASI Gurmail Singh, Investigating Officer of the case is present in Court.

2. Reply dated 04.03.2025 in the form of an affidavit of Assistant Commissioner of Police, Civil Lines, Ludhiana, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

3. After considering the respective submissions and perusing the record, it is observed that as per the submissions of learned counsel for the petitioner, the petitioner had not taken any amount from the complainant and even it is not probable that the complainant moves application (Annexure P-7) to the police regarding the petitioner allegedly running fake immigration centre and at the same time will pay hefty amount for getting the Visa for his son.

4. On a query, it is stated by learned State counsel on instructions ASI Gurmail Singh present in Court that the alleged money transaction is in cash and not through bank transaction.

5. Be it the case, without commenting on the merits at this stage, it is deemed appropriate that the petitioner should join the investigation first before deciding the application on merits. Accordingly, the petitioner is directed to join the investigation within seven days from today and in the event of his arrest, he is ordered to be released on



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interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482(2) of BNSS, 2023.

6. *List on 03.04.2025.*

7. *Investigating Officer of the case to remain present in Court along with record on that date.”*

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 05.03.2025 passed by this Court, interim bail granted vide order dated 05.03.2025 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

06.05.2025

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |