



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

213

CRM-M-11982-2024
Decided on : 14.01.2025

Amarjit Singh @ Amarjeet Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Kuldip Singh, Advocate
for the petitioner(s).

Mr. Amandeep S. Samra, AAG, Punjab
assisted by HC Jagdeep Singh.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 438 of Cr.P.C., is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 420, 465, 467, 468, 471 of IPC, in a case arising out of FIR No.18, dated 27.01.2023, registered at Police Station Civil Lines Bathinda, District Bathinda.

2. Learned counsel for the petitioner *inter alia* contends that the complainant and the accused persons have a common business of arranging the visa for sending the people abroad. By referring to the facts of the prosecution case, counsel further submits that only allegation against the petitioner is of having credited an amount of Rs.2.00 lacs in his bank account and admittedly, next day, said amount was transferred by him in the account of mother of co-accused – Laddi Sandhu, who operates many other accounts in the name of his family members.



3. Learned counsel further argues that the deposited amount did not stay with the petitioner or in his account, and therefore, he cannot be termed as a direct beneficiary or recipient of the said amount for the purpose, it was deposited. He also submits that on the said premises, learned Lower Court vide its order dated 02.02.2024, granted interim anticipatory bail, directing him to join investigation, but subsequently, said concession was withdrawn, merely for the reason that the petitioner failed to cooperate during the course of investigation.

4. Learned counsel further argues that instead of conducting investigation *qua* the amount and the accounts of the beneficiaries, the reference of non-cooperation alleged against the present petitioner, is rather misconceived. Moreover, petitioner expresses his inclination to join investigation again under the direction of this Court also.

5. On the other hand, learned State counsel, on instructions from HC Jagdeep Singh, submits that the amount of Rs.2.00 lacs was received by petitioner in his account and admittedly, same was transferred in the account of Laddi Sandhu's mother. Except, the said alleged amount, no other amount is found to be credited in his account.

6. I have considered the submissions and gone through the record available before the Court.

7. After examining the record of the case, it is realized that the Courts of Sessions had satisfied itself, and thereupon, directed the petitioner to join investigation by granting him concession of anticipatory bail. The said order could not be canceled merely on the statement of the Investigating Officer alleging non-cooperation at the instance of the petitioner (accused).



He could be again afforded an opportunity by fixing some time to appear before the Investigating Officer to further enable the petitioner to produce the record, if any, in his possession.

8. Therefore, the 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 438 of Cr.P.C.

9. 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.

10. Petition stands **disposed of** accordingly.

(SANJAY VASHISTH)
JUDGE

January 14, 2025

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No