

214

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19163-2025
Decided on: 21.05.2025

Sarbjit Singh @ Sarbjit Singh Gill

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Deepak Arora, Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

Mr. Harmanpreet Singh, Advocate for the complainant.

SANJAY VASHISTH, J.

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 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
Sarbjit Singh @ Sarbjit Singh Gill, aged about 46 years	25	16.02.2025	420, 120-B read with Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014	Gate Hakima, Police Commissionerate	Amritsar

2. On 07.04.2025, following order was passed:-

“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:-

<i>Name and age of petitioner(s)</i>	<i>FIR No.</i>	<i>Date</i>	<i>Section(s)</i>	<i>Police Station</i>	<i>District</i>
<i>Sarbjit Singh @ Sarbjit Singh Gill, aged about 46 years</i>	<i>25</i>	<i>16.02.2025</i>	<i>420, 120-B read with Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014</i>	<i>Gate Hakima, Police Commissionerate</i>	<i>Amritsar</i>

2. *Learned counsel for the petitioner, inter alia, contends that as per the complainant, an amount of Rs.9.65 lacs, has been paid to the petitioner under the pretext of sending three children abroad. However, investigation reveals that only Rs.6.37 lacs was credited to the petitioner’s account, out of which Rs. 3.50 lacs has already been returned to the complainant by the petitioner.*
3. *While referring to the receipts (Annexures P-2 to P-6), counsel for the petitioner submits that an additional amount of Rs.2.75 lacs has already been paid by the petitioner to the complainant, i.e. (Rs. 1 lac, Rs. 1 lac, Rs. 50,000/-, Rs. 24,000/-, and Rs. 1,000/-).*
- 4.. *Notice of motion.*
5. *On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts an appearance on behalf of the respondent/State.*
6. *List again on 21.05.2025.*
7. *Let the facts as stated by counsel for the petitioner today before this Court, be verified by the Investigating Officer and then a status report in this regard be filed by learned State counsel, on or before the next date of hearing.*
8. *Till then, petitioner shall not be arrested. However, question of joining investigation of the petitioner would be considered on the next date of hearing, after reviewing the status report yet to be filed by learned State counsel.”*

3. Learned counsel for the petitioner submits that, since there was no specific direction issued to the petitioner to join the investigation, the petitioner could not do so. However, it is submitted that the petitioner is willing to join the investigation, if so directed by this Court, and undertakes to comply with any such directions.



4. Learned counsel appearing on behalf of the complainant admits the contention of the petitioner as recorded in paragraph No.2 of the previous order dated 07.04.2025 is correct, however, he disputes the correctness of facts got recorded in paragraph No.3 of the said order.

5. Learned State counsel has filed the status report in the form of an affidavit of Gagandeep Singh, PPS, Assistant Commissioner of Police (Central), Amritsar City (Additional Charge) on behalf of the respondent/State in Court today. The same is taken on record. The Registry is directed to tag the affidavit at the appropriate place in the paper-book.

6. In view of the submissions made by the respective counsel and as recorded hereinabove, petitioner is directed to join investigation within two weeks from today, the interim order dated 07.04.2025 passed by this Court is hereby made absolute. Thus, present petition is allowed.

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.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

**CRM-M-19163-2025****4**

It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

May 21, 2025
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**