

**CRM-M-26007-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.****Sr.No.211****Case No. : CRM-M-26007-2025****Decided On : May 20, 2025**

Karnail Chauhan @ Karnail Singh
@ Karnail Chauhan Petitioner
vs.
State of Punjab and another Respondents

CORAM : HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

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Present : Mr. Paras Khindri, Advocate
for the petitioner.

Mr. P. S. Pandher, AAG, Punjab
for respondent no.1 - State of Punjab.

Mr. Harjinder Singh, Advocate
for the respondent no.2 - Complainant.

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SUKHVINDER KAUR, J. :

Prayer in the present petition, filed under Section 482 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, is for grant of anticipatory bail to the petitioner in FIR No.35 dated 12.03.2025, under Sections 420 IPC and Section 24 of Immigration Act, registered at Police Station Koom Kalan, District Ludhiana.

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present FIR and he had never duped the complainant party of sum of Rs.50,00,000/- (Rupees Fifty Lakhs) on the pretext of sending nephew of complainant to United States of

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America and not a single penny had been transferred in the account of the petitioner and the petitioner was not beneficiary of any such transaction. He has further urged that due to some misunderstanding between the parties, the present FIR was lodged against the petitioner and now, with the intervention of respectables, matter has been amicably settled between the parties and they are having no grudge or grievance against each other. Regarding the same, he also referred to Compromise Deed dated 02.05.2025 (Annexure P-3). He has further submitted that on the basis of aforesaid compromise, the petitioner has filed quashing petition before this Court bearing **CRM-M-25078-2025** for quashing of the present FIR, in which notice of motion has already been issued. He has prayed that as custodial interrogation of the petitioner is not required for any purpose, therefore, he be granted concession of anticipatory bail.

Notice in this case was issued on 13.05.2025 for today and Status Report was called from the State, which has been filed today in the Court and is taken on record.

Learned State counsel has opposed the present bail petition and has contended that the present FIR was rightly registered against the petitioner on the allegations, as contained in the FIR. Though petitioner has compromised the matter with complainant/respondent no.2 and had already filed a petition for quashing of the present FIR on the basis of said compromise, but without waiting for final decision in the said quashing petition, the petitioner has filed the present petition seeking anticipatory bail, which is liable to be dismissed.

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Heard.

The allegations in the present case against the petitioner are that while acting as an unauthorized travel agent, he collected Rs.50,00,000/- (Rupees Fifty Lakhs) from complainant's family under the guise of arranging a legitimate immigration process. The petitioner took complainant's nephew to various countries and then he was thrown into a Canal to reach America, from where he was arrested by the security forces and was then deported to India.

With the present petition, a copy of Compromise Deed dated 02.05.2025 (Annexure P-3) has also been appended, as per which, the matter has been compromised between the parties and a quashing petition bearing **CRM-M-25078-2025** for quashing of the present FIR has already been filed by the parties.

Learned counsel for the complainant, who is present today in the Court, has also conceded regarding effecting of compromise between the parties.

Thus, when the matter has already been compromised between the parties, then custodial interrogation of the petitioner is not required for any purpose and no useful purpose would be served by sending the petitioner behind the bars.

Accordingly, without commenting on the merits of the case, the present petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail, on furnishing bail/surety bonds, to the satisfaction of the Arresting Officer/Investigating Officer, subject to the



conditions, as provided under Section 482(2) of BNSS. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard. The petitioner shall also abide by the conditions mentioned in Section 482(2) of the BNSS.

May 20, 2025
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(SUKHVINDER KAUR)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>