

2025:PHHC:070270



204.

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

CRM-M-3452-2025

Date of decision: 23.05.2025

Kumar Gaurav

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vivek K. Thakur, Advocate, for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab, with SI Sukhwinder Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail, under Section 482 of BNSS, 2023, in FIR No.02, dated 02.01.2025, under Sections 406, 420 of IPC and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station City Kapurthala, District Kapurthala.

2. On 22.01.2025, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner *inter alia* contends that a perusal of the allegations levelled in the FIR reveals that there are no specific allegations against the petitioner, much less of receiving Rs.13,20,000/- from the complainant on the pretext of sending her son to Australia. It has been asserted that even the 04 cheques allegedly given to the complainant in

the sum of Rs.12 lakhs against the initial amount of Rs.13,20,000/- paid by the complainant to the accused persons had not been issued by the petitioner but by co-accused Sachin Sharma.

On a pointed query put to the learned counsel as to whether there were any other documented monetary transactions between the complainant and the petitioner, he has categorically relied in the negative.

On a further query, it has been submitted that the petitioner has no previous criminal antecedents. ”

3. Learned counsel for the petitioner submits that in compliance of order dated 22.01.2025, the petitioner has joined investigation and cooperated with the investigating agency.

4. At this stage, Mr. Sanjeev K. Virk, Advocate, has entered appearance on behalf of complainant and has filed *vakalatnama* in Court today, which is taken on record.

5. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 22.01.2025, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

(MANJARI NEHRU KAUL)
JUDGE

May 23, 2025
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No