



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

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CRM-M-37088-2026 (O&M)

Date of Decision: 10.09.2026

Shyam Lal

...Petitioner

V/s

State of Haryana

...Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. D.V. Dhindsa, Advocate, for the petitioner.
Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

VIKRAM AGGARWAL, J (ORAL)

This is the second petition preferred under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS') praying for the grant of regular bail to the petitioner in case FIR No.25, dated 30.01.2026 registered at Police Station Chandimandir, District Panchkula under Sections 316(2), 318(4), 61 of the Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS') and Section 24 of Emigration Act, 1983, the first having been withdrawn on 14.05.2026.

2. Reply by way of affidavit of Sh. Ofram Kumar, Assistant Commissioner of Police, Panchkula filed in the Registry, as also custody certificate dated 08.09.2026 filed in Court today are taken on record.

3. On a complaint submitted by one Vinod Kumar, the FIR in question was registered. The allegations as mentioned in the status report are as under:-

"2. That the brief facts present case are that one complaint bearing No. 1981-PW dated 03.12.2025 was received in the Police Station Chandimandir, Panchkula from the office of DCP, Panchkula, after inquiry moved by Vinod Kumar, son of Sh. Lakhwinder Singh resident of Village Chaput, Tehsil Rajpura, District Patiala, Punjab against Veer Singh @ Mittu @ John son of Sh. Shyam Lal resident of Garhi, Tehsil

Raipur Rani, Panchkula and Shyam Lal (petitioner) resident of Garhi, Tehsil Raipur Rani, Panchkula. In the said complaint, it is alleged that in the year 2023, the complainant Vinod Kumar went to England but he could not permanently settled there and he wanted to go to America. Bablu son of Sh. Karam Chand told him about the Veer Singh @ Mittu @ John through whatsapp call that he is an agent and he sends people to foreign countries and he would send him to USA from England. Thereafter, father of the complainant Lakhwinder Singh met accused Veer Singh and his father Shyam Lal (petitioner) with Shubham, Bablu and Pankaj and asked both of them that the complainant, who was in England wanted to go to America in a legal manner. Both the accused persons demanded a sum of Rs.30,00,000/- which after negotiations reduced to Rs.25,00,000/-. The father of the complainant borrowed amount from the relatives and also raised house loan. On 11.12.2024, the father of the complainant handedover a sum of Rs.15,00,000/- in cash to accused Veer Singh and Shyam Lal (petitioner) in the presence of Pankaj, Bablu, Shubham and Kuldeep Singh (uncle of the complainant). On 02.12.2024, the father of the complainant transferred a sum of Rs.5,00,000/- in the bank account of Shyam Lal (petitioner) and the sister of the complainant Kajal also transferred a sum of Rs.5,00,000/- in the bank account of Shyam Lal (petitioner). In this manner, both the accused persons received a total sum of Rs.25,00,000/- from the father of the complainant. They both assured to send complainant to the USA. However, when the complainant left UK for France, the agents Veer Singh and Shyam Lal asked him to give a sum of Rs.3,00,000/- to the Dunker. Finding no option, the father of the complainant sent a sum of Rs.3,00,000/- who handed over the same to the dunker after getting converted the same into foreign currency. Despite that, the complainant had to suffer in different countries and he was arrested in Spain and he remained in custody there for one month. He was tortured and threatened. Thereafter, he was arrested by Santiago Police and he remained in custody for 21 days. He was then referred to Lusiana and then to California where he remained 4-5 months and ultimately, on 03.03.2025, he was deported to India. When he contacted both the accusedpersons he was threatened. Action against the wrong doer was prayed for.”

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the petitioner is a 70 year old person whose son Veer Singh is settled abroad. He submits that there

was no involvement of the petitioner in the alleged incident. Learned counsel further submits that the petitioner is in custody for the last 6 months, he having been arrested on 12.03.2026. He further submits that the antecedents of the petitioner are clean; investigation stands completed; final report has been submitted; charges have been framed; out of 14 witnesses, none has been examined; trial will take a sufficiently long time and therefore, no useful purpose would be served by keeping the petitioner in custody any longer.

5. *Per contra*, learned State counsel has opposed the bail application, stating that a sum of Rs.10 lakhs was credited into the account of the petitioner. However, learned State counsel has not been able to deny the fact that the antecedents of the petitioner are clean.

6. I have considered the submissions made by learned counsel for the parties.

7. No doubt, the complainant was duped of Rs.28 lakhs since he was promised that he would be sent to USA from England. However, he was deported from USA since his entry was found to be illegal. The son of the petitioner namely Veer Singh, who has not yet been arrested, is settled abroad. He appears to be the main person in the present matter. The petitioner, who is a 70 year old person, is in custody since 12.03.2026. Almost 6 months have gone by. His antecedents are clean. As to whether he was actually involved in the incident or not shall be determined only when the trial concludes. Investigation stands completed. Final report has been submitted and charges have been framed but out of 14 witnesses, none has been examined as of now. It is, therefore, clear that the trial will take a sufficiently long time and in the considered opinion of this Court, no useful purpose would be served by

keeping the petitioner in custody any longer.

8. In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

9. Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

September 10, 2026
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No