

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

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CRM-M-37428-2020 (O&M)

Date of decision : 12.11.2020.

Bikramjit Singh @ Vikki

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Karamjit Singh Maangat, Advocate, for the petitioner.
Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.175 dated 03.08.2019 under Section 420 IPC as well as Section 13 of the Punjab Travels Professional Regulation Act, 2012, registered at Police Station Civil Lines, Amritsar, District Amritsar.

The allegations in the present FIR are that an application was moved by Rishi Verma son of Inderjit Verma to the Commissioner of Police against Akash resident of Khandwala, Amritsar and Vicky Randhawa resident of Kala Afgana, Gurdaspur. As per allegations, his cousin Paras son of Tara Chand resident of Majitha Road, Amritsar wanted to settle abroad and do business there. He was told by one Akash Vinayak that he had close friend Vicky Randhawa (petitioner herein) who is doing business in the name of Mannu Enterprises of sending people abroad. Akash called them and introduced them to Vicky Randhawa (petitioner herein). The petitioner demanded Rs1,25,000/- for sending the cousin of the complainant abroad. The money was given in instalments alongwith documents however he could not settle abroad and rather was harassed when he reached Dubai without proper documentation. During the investigation, it came to fore that there was another complaint numbered as 39-TA-COP dated 13.3.2019 filed by Jatinder Behal son of late Hari Singh

petitioner-herein on the pretext of sending his son abroad. In that case also the petitioner had promised to settle the son of the complainant therein in Dubai and provide him a job and accommodation and for this he is alleged to have demanded Rs.1,25,000/-, which were handed over alongwith the passport. The ticket is alleged to have been sent via whatsapp and parties were told to reach the airport where the passport and the ticket would be provided and the remaining amount of Rs.65,000/- was to be given. On the said date, he never picked up the phone nor gave the passport and ticket to them. Thereafter, he was told to remain there for two days and to again apply for a ticket. Eventually, it came to light that the visa which was to be provided to the complainant therein was till 29.2.2019, whereas there was no 29th February in the year 2019 not being a leap year which clearly shows that the visa was forged.

It has been contended by the learned counsel for the petitioner that the petitioner herein has falsely been implicated in the present case. It is further contended that had the visa been forged the cousin of the complainant would not have been able to travel to Dubai. He has further contended that the ingredients of Section 420 IPC are not made out and hence Section 420 IPC is not attracted in the present case.

On the asking of the Court, Mr. Ramandeep Sandhu, Sr. DAG, Punjab, has put in appearance through video conferencing (VC) on behalf of the respondent-State. He, on instructions from ASI Rajesh Kumar, has pointed out that in the present case it was the work visa which had been promised to the cousin of the complainant along with promise of a job. However, none of the promises were fulfilled and in fact it has emerged during the course of the enquiry that a similar case was lodged by one Jatinder Behal regarding his son Chirag Behal who was given a forged visa to travel to Dubai.

I have heard the learned counsel for the parties

The allegations in the present case are regarding a false promise made by the petitioner herein to the cousin of the complainant to get him a job abroad as well as to get him the requisite documentation. Though, the cousin of the complainant travelled to Dubai, however, there was no job or work visa as had been promised and that he had travelled to

Dubai on a tourist visa. It has also come during the course of investigation that a similar complaint has been filed against the petitioner herein by one Jatinder Behal regarding forged visa having been provided to his son Chirag Behal. The incidents of such nature are rampant in the State of Punjab where the poor are being lured to sell their land in order to send their children abroad and are being duped by agents by providing them fake documentation or on false promises of a work visa and employment abroad.

In view of the facts of the present case, I do not find it to be a fit case for grant of anticipatory bail to the petitioner.

Dismissed.

It is, however, made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

November 12, 2020
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(ALKA SARIN)
JUDGE

NOTE:

Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No