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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24828-2024

Date of Decision:- 17.12.2024

GURCHARAN SINGH MAAN

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Mandeep Kumar Dhot, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

Mr. Rajat Ahlawat, Advocate for

Ms. Alisha Soni, Advocate for complainant.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.16 dated 25.03.2024 under Sections 406, 420 and 120-B of IPC, registered at Police Station NRI, District Ludhiana (Annexure P-5).

2. As per facts of the case, complaint was filed by Hari Singh alleging that his father had talk with Gurcharan Singh and Amit Arora, Partner in Aspire Immigration and Visa Service Limited near Bhai Wala Chowk, Ludhiana who suggested to perform marriage with a girl who had cleared IELTS and in this way he will be sent to Australia. They demanded Rs.20 lacs for this purpose. Out of which, they deposited Rs.6,12,000/- in



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the account of Balwinder Kaur mother of Gurcharan Singh. On different dates, they gave total sum of Rs.16 lakhs. Accused persons introduced him with Navpreet Kaur and her parents Sukhwinder Singh & Charanjit Kaur. Accordingly his marriage was performed on 18.02.2019. Entire expenditure was borne by them. Navpreet Kaur went in Australia on 08.03.2019. They provided her fees of education in two installments Rs.8 lakhs, gave ornaments, laptop and cash amount. It was assured that Navpreet Kaur and her family will apply for his visa very soon but thereafter Navpreet Kaur stopped attending his calls. In this way, Navpreet Kaur, her parents in connivance with Amit Chopra, Gurcharan Singh and Aman Arora committed fraud with them.

3. Learned counsel for petitioner argued that he is falsely implicated in this case. He has nothing to do with the marriage of complainant with Navpreet Kaur. However, application for visa pertaining to complainant Hari Singh was submitted but the same was rejected by Australian Government, Department of Home Affairs. Concerned documents are Annexures P-7 and P-8. He was granted interim bail vide order dated 16.05.2024 and he has already joined investigation. He is ready to abide by the terms of bail order. It is prayed that he may be granted anticipatory bail.

4. Bail application is opposed by learned counsel representing State. Status report is filed in which it is alleged that petitioner is a Partner in Aspire Immigration and Visa Service Limited and huge amount was received in the account of his mother Balwinder Kaur. They in connivance with girl Navpreet Kaur and her parents committed fraud with the



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complainant.

5. I have considered the arguments and have gone through the record carefully. Present petitioner is alleged Partner of Aspire Immigration and Visa Service Limited and it is not disputed that application of complainant Hari Singh was processed for his visa to Australia but the same was rejected by Australian Government. Marriage of complainant Hari Singh with Navpreet Kaur is concerned, that was his personal decision. So far as present petitioner is concerned, his job was to apply for visa for complainant Hari Singh which he did. He has already joined the investigation. No purpose would be served by sending him behind the bars. Considering the facts and circumstances of the present case, interim bail already granted in favour of petitioner vide order dated 16.05.2024 stands confirmed subject to the conditions detailed under Section 438 (2) Cr.P.C.

6. Petition is, accordingly, allowed.

(AMARJOT BHATTI)
JUDGE

17.12.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No