



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.27659 of 2024
Date of decision: 23rd September, 2024

Sourav
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. B.S. Seemar, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.
Mr. Saurav Bhatia & Mr. Nitin Chaudhary,
Advocates for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.52 dated 02.04.2024 for the offences under Sections 406, 420 of the IPC registered at Police Station City Nawanshahar, District SBS Nagar.
2. On the last date of hearing, i.e. 30.05.2024, while noticing the following submissions made by 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 contends that he is innocent and has been falsely implicated. The complainant allegedly approached the petitioner's family with a premeditated plan to extort money under the guise of facilitating the petitioner's move abroad. She assured the



family that she would help settle the petitioner in Canada through a contract marriage. On the complainant's insistence, all dealings were conducted through her agent, Mr. Saurabh Bassi, and a total of 13,90,000/- was given to Mr. Saurabh Bassi by the petitioner and his sister at the complainant's behest. However, due to false credentials submitted by the complainant and the agent, the UK Embassy denied her visa and imposed a 10-year ban.

Furthermore, the marriage between the petitioner and the complainant was never consummated. When the petitioner and her sister requested the return of their money, the complainant retaliated by filing a complaint through the petitioner's sister against Saurabh Bassi, who eventually returned Rs.710,000/-. Subsequently, the complainant and Bassi conspired again, planning to cheat the petitioner and her family by pursuing a move to Canada for studies. The complainant failed to achieve the minimum IELTS score and did not obtain the visa. When the petitioner and his sister asked for a refund, the complainant froze the joint account meant for the return of the funds.

The learned counsel asserts that the present FIR against the petitioner and his family is a part of the complainant's preplanned conspiracy, and is completely false.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 30.05.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Sohan Lal, 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.

5. In the circumstances, the petition is allowed and the interim order dated 30.05.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

September 23, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No