



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

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CRM-M-31164-2024

Date of Decision : **September 23, 2024**

TARUN KUMAR

.....Petitioner

VERSUS

UT OF CHANDIGARH

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pradeep Virk, Advocate
for the petitioner.

Mr. Manish Bansal, PP for UT, Chandigarh.

KULDEEP TIWARI, J.

1. Through the instant petition filed under Section 438 Cr.P.C., the petitioner seeks the concession of anticipatory bail in case FIR No.54 dated 18.3.2024, under Sections 406, 420, 120-B of the IPC and under Section 24 of the Immigration Act, registered at Police Station Sector-36, Chandigarh.
2. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR, whereas, he has not committed any offence, as alleged. Moreover, neither the petitioner has been named in the FIR (supra), nor he has any concerned with the firm-Sky Hub Consultancy, which was/is being run by other accused.
3. The instant FIR has been registered on the basis of a complaint made by one Prabhpreet Singh son of Harbans Singh against Harlaz Singh @



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Rajbir Singh c/o SCO No.44, 3rd Floor, Sky Hub Consultancy, Sector 42-C, Chandigarh alleging therein that he was duped for Rs.8.5 lacs on the pretext of sending him abroad, but and neither the money was returned to him, nor he was sent abroad.

4. During investigation, the supplementary statement of complainant-Prabhpreet Singh was recorded, wherein, it was alleged that infact co-accused Harlaz Singh is known as Rajbir Singh Dhillon, who executed an agreement with the complainant. Thereafter, co-accused Harlaz Singh was arrested on dated 9.7.2024. The complainant also alleged that the present petitioner and co-accused Himanshu @ Harman had called him to his cabin and he was shown fake visas on a fraudulent/bogus website and subsequently cash was taken from them under the false pretext of securing visas for them. During investigation, co-accused Harlaz @ Rajbir, suffered a disclosure statement disclosing therein that the present petitioner has introduced him with other co-accused persons i.e. Simranjot @ Jaswinder, Himanshu @ Harman, Gurdev @ Gurwinder, Sagar and some other persons and a meeting was held, where they collectively decided to establish an immigration company with the intention to defraud the public by promising to facilitate overseas migration by preparing fake and forged documents to deceive the people on the pretext of sending abroad. The present petitioner and the co-accused Himanshu @ Harman had a sixty-forty percent agreement of sharing them money obtained through such frauds respectively.



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5. The reply (supra) further reflects that during investigation, the role of the present petitioner emerges as the principal accused and mastermind behind the fraudulent scheme and it was the petitioner, who conceived the idea and orchestrated a conspiracy with other co-accused individuals to defraud the public by falsely promising to arrange overseas migration through an immigration consultancy. The petitioner played a pivotal role in establishing the bogus company, Sky Hub Consultancy.

6. It is not only that the complainant in the instant FIR but there are several more complainants against the petitioner with similar kind of allegations are levelled against Sky Hub Consultancy, which is now part of investigation in the instant FIR. The petitioner is also involved in two other FIRs i.e. FIR No.462 dated 17.12.2023, under Sections 406, 420, 120-B IPC and 24 of the Immigration Act, Police Station Sector-36, Chandigarh and FIR No.253 dated 20.10.2023, under Sections 406, 420, 468, 471, 120-B of IPC, Police Station Crime Branch, Delhi and in all three FIRs, the total amount duped comes out to be Rs.3,50,00,000/-,

7. This Court has also granted the relief of interim anticipatory bail to the petitioner vide order dated 8.7.2024 and directed the petitioner to join the investigation and fully cooperate with the same, however, the petitioner though joined the investigation but did not cooperate with the investigating agency.

8. Considering the role played by the present petitioner and the antecedents, as he is also involved in similar kind of offences, as he has



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cheated number of persons, who want to go abroad to earn better livelihood, this Court is of the view that the present petitioner does not deserve the concession of anticipatory bail, therefore, the instant petition is **dismissed**.

9. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

September 23, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No