

CRM-M-42610-2024

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

CRM-M-42610-2024

Date of decision: 25.09.2024

Gurpreet Singh Sandhu

.... Petitioner

Versus

State of Punjab

.... Respondent

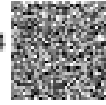
CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Vinod Ghai, Sr. Advocate with
Mr. Arnav Ghai, Advocate and
Mr. Harshjit Singh, Advocate
for the petitioner.
Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J (ORAL)

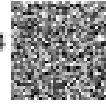
1. This is first petition that has been filed under Section 439 of Cr.P.C (corresponding Section 483 of BNSS 2023) for the concession of regular bail to the petitioner in case FIR No.181 dated 16.05.2024 under Sections 420, 120-B of IPC, Section 24 of Immigration Act and Section 13 of Punjab Travel Professions Regulation Act (added later on) registered at Police Station Zirakpur, District SAS Nagar (Mohali).

2. As per the allegations, the case of the prosecution is that on 16.05.2024, Sub Inspector Kuldeep Singh, along with other police officials, was on patrolling duty, when he received secret information that accused persons namely Gurpreet Singh(petitioner), Parminder Singh and Vijay were illegally doing the work of Visa Consultancy, without any valid license from the Government, thereby cheating the innocent people. Accordingly, raid was conducted at the disclosed place and all the three aforementioned accused were arrested on the same day i.e. 16.05.2024.



Gurpreet Singh (petitioner) allegedly got recovered Rs.2.96 crores, Parminder Singh got recovered some documents and accused Vijay got recovered one computer make ASUS. The accused persons were produced in the concerned Court on 17.05.2024 and their police remand was obtained for one day. During interrogation, on the basis of disclosure statement, Gurpreet Singh (petitioner) got recovered four passports, which were later identified by one of its bearers namely Kuldeep Singh, who also got recorded his statement that Gurpreet Singh introduced him with his partners Parminder Singh and Vijay and on assurance given to him to get Canada Visa, he handed over his passport along with three other passports to Gurpreet Singh to get the needful done. A sum of Rs.12 lakh was also handed over to Gurpreet Singh for this purpose.

3. Learned senior counsel appearing on behalf of the petitioner has argued that the petitioner has been falsely implicated in the present case. Kuldeep Singh, who got his statement recorded with the Investigating Agency, has now given an affidavit to the effect that he does not want any legal action to be taken against the petitioner on the basis of the present FIR. Petitioner is in custody since 16.05.2024. Investigation in the case has been completed and challan has been presented. It was further submitted that the police could not find anything against the petitioner and the alleged recovery is the foisted one. No useful purpose would be served by keeping the petitioner behind bars anymore. Even otherwise, both the co-accused of the petitioner has already been granted regular bail by this Court vide order dated 29.07.2024 passed in **CRM-M-30897-2024** titled as ***Parminder***



Singh Vs. State of Punjab and vide order dated 21.08.2024 in ***CRM-M-39134-2024 titled as Vijay Vs. State of Punjab***. The completion of trial will take a long time. So, the petitioner be released on bail.

4. Status report by way of affidavit of Jaspinder Singh, PPS< Deputy Superintendent of Police, Sub-Division Zirakpur, District SAS Nagar on behalf of the respondent-State. The same is taken on record.

4.1 Learned State counsel has opposed the bail petition by contending that it is a serious case of cheating the innocent people. Hard-earned money of public is extorted on the pretext of sending them abroad and petitioner is actively involved in this illegal business. So, he does not deserve concession of bail.

5. I have heard the submissions of learned counsel for the petitioner, learned State counsel and have gone through the paper book.

6. The case in question is triable by the Judicial Magistrate. The challan has already been presented. Kuldeep Singh had come forward and made allegations against the petitioner that he handed over a sum of Rs. 12 lacs to the petitioner. His passport is also recovered from the petitioner. He has already sworn an affidavit that he had effected compromise with the petitioner. The offence is compoundable. Neither any other person has made allegation against the petitioner nor police recorded the statement of any such other person. Police has failed to place any other evidence that recovered amount was collected by the petitioner by defrauding the people. The co-accused(s) have already granted concession of bail by this Court. The culpability of the petitioner in the present case would be determined

during trial; and completion of trial will take some time; rule is bail and not jail, this Court deems it appropriate to release the petitioner on regular bail.

7. Accordingly, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing personal bond with two surety bonds out of which one surety shall be from the District/ SAS Nagar Punjab in the like amount to the satisfaction of concerned learned trial Court/Duty Magistrate with the following conditions:-

- (i) that petitioner shall surrender his passport in the trial Court
- (ii) that petitioner shall get his mobile number registered on the CIS to receive messages and shall not change his mobile number during the pendency of the case except with prior permission of Court concerned.
- (iii) that petitioner shall disclose to the concerned police station his residence address and he shall not change his said residence address without informing the concerned Police Station and trial court.

8. The court concerned may impose any other condition. In case of default, the trial Court is free to cancel the bail granted to the petitioner.

9. However, it is made clear that anything stated hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case on the basis of material available before it.

(GURBIR SINGH)
JUDGE

25.09.2024
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Whether reportable:	Yes/No
Whether speaking/reasoned:	Yes/No