



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

CRM-M-52023-2023

Date of decision : 20.11.2024

Rajeev Arora**....Petitioner****versus****State of Haryana****.....Respondents****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. G.C. Shahpuri, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, A.A.G., Haryana.

Mr. Ankush Sihag, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.333 dated 01.05.2023 under Sections 406, 420, 506 and 120-B IPC and under Section 10 & 24 of Emigration Act, registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

2. The facts of the case are that the complainant contacted the accused persons namely, Rajeev Arora (petitioner), Harish Arora and Manjeet Arora, who were running a Firm namely M/s Visa Guru, for getting visa of Australia for himself and his wife. Co-accused, Harish Arora, demanded an amount of Rs.25 Lacs for the completion of the visa process and out of the agreed amount, Rs.5 Lacs were given to the co-accused as an advance money. The complainant further paid Rs. 5 lacs in cash to the accused persons including the petitioner but after receiving the advance amount of Rs.10 lacs they failed to deliver any satisfactory response. However, after waiting so long, complainant did not get any visa. Thereafter, complainant contacted co-accused, namely, Harish Arora



on his mobile number, but he threatened him and also told him that his amount will not be returned. That complainant later on got to know that accused persons had committed cheating with the several other persons in the name of sending them abroad. On the basis of aforesaid complaint, instant case was registered and the petitioner was arrested on 21.8.2023. Thereafter, the petitioner approached the Ld. Additional Sessions Judge, Yamuna Nagar, for grant of bail, however, after hearing both the sides, same was declined by the Ld. Additional Sessions Judge, Yamuna Nagar vide order dated 27.09.2023. Aggrieved by the same, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has submitted that the petitioner was granted the concession of interim bail by this Court vide order dated 04.04.2024. He submits that he is duly appearing before the trial Court and has not violated any terms and conditions of the interim bail granted. He submits that now the matter stands compromised and the petition for quashing of the FIR on the basis of the compromise is already pending adjudication before this Court. It is submitted that in the facts and circumstances, the interim bail granted to the petitioner, deserves to be made absolute.

4. Learned State counsel, however, submits that the petitioner has joined the trial and has affirmed the submissions made by learned counsel for the petitioner regarding grant of interim bail and thereafter, his continuous appearance before the Court.

5. Learned counsel for the complainant has affirmed the factum of compromise effected between the parties.

6. Heard. On hearing counsel for the parties and perusing the record, it is apparent that petitioner was arrested on 21.08.2023 and was



released on interim bail on 04.04.2024 and he has been duly appearing before the trial Court. This Court would refrain itself from commenting anything on the merits of the case.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time. Petitioner was released on interim bail on 04.04.2024 and there is nothing on record to suggest that he has ever misused the concession of interim bail granted to him by this Court. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeed in making out a case for grant of regular bail. Accordingly, interim bail granted to the petitioner vide order dated 04.04.2024 is made absolute and petitioner is ordered to be released on bail on his already furnished bail/surety bonds before the concerned Trial Court/Duty Magistrate at the time of his release on interim bail. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

20.11.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No