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

CRM-M-59593-2023 (O&M)

Reserved on : 18.11.2024

Pronounced on: 20.11.2024

Devinder Singh Gill

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Abhinav Gupta, Advocate, for the petitioner.

Mr. R.S. Thind, DAG, Punjab.

Mr. B.S. Bhalla, Advocate, for the complainant.

KIRTI SINGH, J.

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in case FIR No.32 dated 17.02.2022, under Sections 406, 420 & 120-B IPC and Section 13 of the Punjab Travel Professions (Regulation) Act, 2014, registered at Police Station Phase-I, Mohali.

2. The translated version of the FIR is reproduced below:-

“Today two complaints No.1712/Peshi/S.S.P SAS Nagar dated 06.10.2021 of Jyoti Anant Kaur daughter of Vikram Singh resident of house NO. 3110, Sector 23-D, Chandigarh, Sabia Arora daughter of Tarsem Lal Arora, Gurkirat Singh son of Gurdev Singh and 31 more students and complaint No. 10316/S/S.S.P dated 27.11.2021 of Harpreet Kaur wife of Hardeep Singh resident of H. NO. 166, Mohalla Maliana, Jandiala Guru, Tehsil Amritsar-1 District Amritsar Rural are received from the office of Hon'ble Senior Superintendent of Police, SAS Nagar by the hand of CT Sarabjit Singh No. 2265/SAS Nagar, the contents of which are that: To The SSP

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Sas-Nagar Mohali (2) The SHO Phase-1, SAS Nagar, Mohali
Sub:- Complaint against 1. Davinder Gill (in custody) 2. Krispy
Khaira W/O Davinder Gill 3. Sukkanaya
(Mb8544702829,6239571822) 4. Namrita (Mo75744879959)
5.Manisha Thakur 6. Kiran (Mb 6239571812) 7. Digvijay Singh
Rathour (Mb 6239571828) 8.Sonam Anand (Mb 6239571803)
9. Maninder Singh 10. Ravneet Singh Randhawa 11. Vivek
Sharma. Respected Sir, 1. That my self Jyoti is a law abiding
and peaceful citizen and is a below resident mentioned
address.2. That seeking my bright future, I have been an
aspirant to move Canada and in this. pursuance I have been
looking for some immigration firms/agencies for the fulfillment
of my dreams of moving to Canada, online and otherwise. 3.
That consequently I came across an online advertisement
floated in the name and style of SOIS (School of International
Studies) which highlighted the 100% assurance of student
pathway visa, In few of the adv. Floated by the same firm SOIS
it was mentioned that there is no requirement of IELTS for their
program, The copy of the advertisement is attached herewith. 4.
That getting influenced by the advertisements and the
assurances made therein I clicked/opened the link for further
details where I was asked to mention my contact no and email
id on the same. 5. That taking notice of the email id and contact
no. the firm/agency in question i.e. SOIS approached me
telephonically and I was stressfully insisted to visit their office
and the voice on the phone allured me of my bright future and
100% result. 6. That falling prey to their assurances I visited
their office/premises i.e. D-6, Industrial Area, Phase-1, Mohali
160055, under the name and style of SOIS (Student of
International Studies). 7. That I met 2 counselors namely
Sonam and Kiran i.e. accused No. 8 and 6 respectively who
allured me of 100% result that made were on the advertisement
mentioned above. 8. That they also assured me that they will
procure me the student visa along with work Visa and
subsequently the PR under the program that is Make-Up Artist.
9. That they informed me about the pathway program for
immigration to Canada i.e. the study for the first 3 months of
1st semester shall take place in India at their institute only and
subsequent semester shall take place in Canada. 10. That after
the completion of course they will arrange for work visa and
subsequently the PR under the same program and also assured
me of their 100% result delivery. 11 That they informed me that
in the entire process arranging from application, offer letter,
course and visa filing I will have to pay around Rs.4,00,000/-
approx. 12 That getting convinced of their assurances deposited
the fee asked by them i.e. Rs. 3,62,000/- approx. for which they
issued me the receipts. The copy of the same along with other

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co-complainants is attached herewith 13. That after receiving the aforesaid amount for the first time they disclosed that there is IELTS requirement of 6 Bands which was earlier mentioned as not needed. 14 That after completion of first semester when I enquired about the next process they tried to dilly-dalli the matter on one pretext or the other. 15. That it came to light recently that they deliberately did not allow the students/aspirants in different batches to come across each other or to have communication of any kind as the timings of different batches were arranged in a manner that they do not encounter each other. 16. That when I kept on insisting about the next step of my course/program and my immigration to Canada then in order to cover up the fraud (which came to light only recently), they gave me one (1) purported offer letter in the name and style of GLOW-College of Artistic Design. The copy of the said offer letter of all the co-complainants is annexed herewith (colly). 17. That on the bare perusal of the said offer letter it can be easily inferred that the said offer letter is a fabricated piece of paper which fails to inspire any credibility and this fact brings to light the modus operandi and the scam/fraud hatched by the accused persons. 18. That on my continues insistence and enquiries about the delay in the process of Visa filing and non fulfillment of all the assurances made to me before receiving the aforesaid amount, the suspicious acts of the accused persons and the modus operandi of the well planned conspiracy started surfacing. 19. That when I did not get any satisfactory result and non fulfillment of the assurances made to me I got restless and started making enquiries on my own. 20. That on making said enquiries in this regard it came to my knowledge that it is a nexus comprised of aforesaid persons who are habitual of defrauding innocent people of their hard earned money. 21. That in the process when I came across several other students/aspirant it came to light that there are hundreds of student who have been made fake assurance to immigrate to Canada under the same program by the aforesaid accused persons and there are no. Of people who have been cheated of crores of rupees in the same manner. 22. That it also surfaced that it is not the first time that the accused persons have played this fraud, as earlier also they opened several offices in different location of tri-city. 23. That it has also come to light that several FIRS of similar nature made by other innocent people are already lodged at different police stations in tri-city against the aforesaid accused persons. 24. That I have come to know that it is the modus operandi of accused no. 1 and 2 i.e. Davinder Gill and Krispy Khaira, that they appoint directors and counselors in the firms/floated by them to operate and execute their ill design on their behalf but

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and behind the scenes accused No.1 and 2 are the real kingpins who dupes innocent people of their hard earned money by alluring them into false and fake promises by floating these fraudulent firms. 25. That there are other students who have been cheated and defrauded in a similar manner and they are the co- complainants in the present complaint. The names and the details of the co-complainants is attached along with. 26. That in case of other Co- complainants there were different points men i.e. accused No. 3,4,5,7,9,10 and 11 who are the co-conspirators of the said fraud and cheating. That the money which they took by making false promises. 27. That when we approached the accused persons at their office and raised our genuine grievances the aforesaid accused persons threatened us of dire consequences and also threatened to eliminate us. 28. That as per the provisions of the Immigration act 1983. Section 25 of the said Act attracts the liability against all the persons involved while committing the fraud and no person from the top to bottom can be absolved of the liability 29. That in the light of aforementioned facts and circumstances it stands established that the accused persons in connivance with each other have committed offences of cheating, forgery, criminal breach of trust, criminal intimidation along with the violation of immigration and IT act, It is therefore most respectfully prayed that a thorough and fair investigation be conducted in the present case and the guilty persons be brought to books and our hard earned money be recovered to us in the interest of justice.

Yours Sincerely Jyoti Anant Kaur, #3110, Sector 23-D, Chandigarh. Sd/- Jyoti Anant Kaur. A complaint No. 10316/S/S.S.P dated 27.12.2021 of Harpreet Kaur wife of Hardeep Singh resident of house No.166, Mohalla Maliana, Jandiala Guru Tehsil Amritsar -1 District Amritsar Rural. To, the Hon'ble Senior Superintendent of Police, Chandigarh Note: Complaint against School of International Studies, D-6, Industries Area, Phase-I, SAS Nagar- 16005. Subject: Regarding cheating of money by the above said institution under the pretext of course. Sir, with regard to the subject cited above, I, Harpreet Kaur wife of Hardeep Singh resident of house No.166, Mohalla Maliana, Jandiala Guru Tehsil Amritsar -1 District Amritsar Rural. I am requesting you that I have passed course of GNM Nursing and I was interested to go abroad, in which regard I searched sources on internet to go abroad then I saw a website on facebook, which was under the name of "School of International Studies", which is still active on facebook. This institution shows as Franchise of UK and also claims for CET of one National Health Service, and after doing said course, anybody can easily go to UK. I contacted to said institution and they informed me that the fee of course is

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Rs. 8.00 lacs, including entire filing, study, interview and thereafter they send UK with said money and initially on 19.06.2021, the amount of Rs. 20000/- was given in cash and Rs. 5000/- transferred through UPI in the account of this firm. Thereafter course has been started. Next money on 05.07.2021, I had paid the amount of Rs 3,75,000/- vide cheque No. 505654 of my account of Canara Bank. They informed us about the period of course as three months. Thereafter we came to know about the news published in the news paper "Dainik Bhaskar" that Devinder Singh Gill, owner of this institution has been arrested by the Chandigarh police for cheating of Crores of rupees under the pretext to send the people abroad. On coming to know about it, we demanded our money back from this institution then counselor of this institution namely Sonam Anand and Manager Randhawa has assured Ravneet Singh us that you continue your study in the firm, we will complete your course but after completing the course of three months, they did not filled course our of OET, which is necessary to go abroad. We requested them time and again but the employee of institution kept on making excuses. Thereafter the institution has given us cheque No. 000047 of Rs. 35000/- and told us that you can present the said cheque if the cash is not received by you but when they have not transferred the amount cash in our accounts then on 20.10.2021, we presented said cheque in the bank which got dishonored. After some days, an amount of Rs. 20000/- transferred to our account but the fee of test was Rs. 35000/-. We told the said institution that you have transferred the amount of Rs. 20000/- only then they told us to fill test by depositing some amount from your own pocket. We asked them that we have paid entire fee to you to arrange our test but you are cheating with us then they stopped to talk us. They also switched off their mobile numbers and they were talking to us only on Whatsapp mode. The above said institution and its employees are not giving any satisfactory reply and also not returning our amount. They have taken amount from us under the pretext to send us abroad but they have not completed our course. We have given them the amount of Rs. 4.00 lacs which was our heard earned income but they have not returned said amount to us. sir, you are requested that legal action be taken against said institute and FIR be registered against them and our losses be fulfilled. I shall be thankful to you. Yours faithfully Sd/- Harpreet Kaur, Harpreet Kaur wife of Hardeep Singh resident of house No.166, Mohalla Maliana, Jandiala Guru Tehsil Amritsar -1 District Amritsar Rural. Mobile No. 62848-53448. The Hon'ble Senior Superintendent of Police, Nagar has marked the above said complaints for inquiry to the Superintendent of Police (Urban), SAS Nagar. The Hon'ble

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Senior Superintendent of Police, SAS Hagar has written "Superintendent of Police, City for n/action as per facts and law, please send report" on complaint No. 1712/Peshi/ S.S.P/ SAS Nagar dated 06.10.2021 and written "A similar matter is peresently being inquired into by Superintendent of Police City vide letter No.1712/P/S.S.P dated 06.10.2021 and 24.12.2021-S.P, city for n/action. Sd/- Senior Superintendent of Police, SAS Nagar" The Superintendent of Police (City), SAS Nagar has submitted the inquiry report of both above said complaint vide his report NO. 2015/5S/S.P City, SAS Nagar dated 10.02.2022, which is as follows. Sir, it is requested that the complaint No. 1712/Peshi/S.S.P dated 06.10.2021 of Jyoti Anant Kaur daughter of Vikram Singh residnet of house No. 3110, Sector 23-B, Chandigarh, Sabia Arora daughter of Tarsem Lal Arora, Gurkirat Singh son of Gurdev Singh and 31 more students and complaint NO. 10316/S/S.S.P dated 27.12.2021 by Harpreet Kaur wife of Hardeep Singh resident of house No. 166, Mohalla Malliana, Janadiala Guru, Teshil Amritsar District Amritsar Rural were received in this office for inquiry and repot. During inquiry, the complaints have been examined, in which the complainants have written that opposite party Devinder Singh Thapa, Krispi Khehra owner of School of International Study, Immigration Company, Phase- I, SAS Nagar and their partners Ravneet Singh Randhara have cheated the complainants by taking lacs of rupees in fraudulent manner on the pretext to send them abroad (The detail of amount is as follows.) With regard to said cheating the complainant have made request to take legal a action against the opposite party and to get their money back from them. Thereafter the following complainant appeared and got their respective statements recorded, which are enclosed with the report for your kind perusal and they also given detail of the amount given by them: Sr. No., name of applicant appeared during inquiry of complaint:- 1) Jyoti Anant Kaur daughter of Bikram Singh resident of house NO. 3110, Sector 23-0, Chandigarh Rs. 342000/-, mobile NO. 78111-11166, 2) Sabia Arora daughter of Tarsem Lal Arora resident of house NO. 19, Garden Colony, Patti, District Tarn Taran Amount: Rs. 2,70,000/-, mobile No. 70580- 81786, 3) Gurkeerat Singh son of Surdev Singh resident of Bhai Mati Dass Nagar, near ITI Mansa Road Bathinda, Amount Rs. 3,45,000/-, 4) Sandeep Kaur daughter of Harbakhsh Singh, resident of house NO. village Korva Khurd, District Ambala Rs. 3,65,000/-, mobile NO.99966-57445, 5) Priyanka daughter of Mukesh Lal resident of village Kama District SBS Nagar, Amount Rs. 3,65,000/- Mobile No. 62393-02274, 6) Reet Kaur Bajwa daughter of Satpal Singh resident of Akawali, District Farehabad, Haryana, Amount: Rs. 3,08,000/- Mobile No.

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82643-79509, 7) Manpreet Kaur wife of Harjinder Singh resident of Niholka, Tehsil Kharar, District SAS Nagar Amount: 3,08,000/- Mobile No.97811-02774, 8) Avinash wife of Ashok Kumar resident of house No. 351, New Rattangarh Colony Ambala city Haryana, Amount: 3,28,000 9) Harvinder Kaur wife of Harpal Singh resident of H. NO. 9249, Kot Mangal Singh near Water Tank, Ludhiana Amount: 3,28,000/- Mobile No.82546-68184, 10) Harpreet Kaur daughter of Gurvinder Singh resident of H. No. K/22/3, TBRL colony, Ramgarh Amount: 3,65,000/- Mobile Harashdeep Kaur daughter Panchkula, Haryana No.84275-33254, 11) of resident of village Dehlon, Amount: 3,44,000/- Mobile Harvinder Singh District Ludhiana No.79869-18206, 324 Gurjeet Kaur daughter of Amandeep Singh resident of 4575/C-1 street No. 4, new Amar Nagar Waheguru Road, Ludhiana Amount: Rs. 3,35,000/- Mobile No. 99155-64000/-, 13) Sharma Meenu wife of Sh. Satish Kumar resident of H. No. 7547, Street No. 04 New Amar Nagar, Ludhiana Amount: 3,35,000/- Mobile No.81467-69799, 14) Anureet Kaur daughter Sukhpreet Singh resident of H. NO. 183, Ward No. 04, Soodan Wala Mohalla, Morinda Amount: 3,65,000/- Mobile No.98883-82494, 15) Rohit Kumar Bassi son of Sanjeev Kumar Bassi resident of H. No. 32-A, Canal View, Jaspal Bangar, resident Amount: 3,65,000/- of Ludhiana Mobile No.82849-07608, 16) Akashdep Singh son of Nishan Singh resident of village Rattak, Tehsil Assandh District Karnal, Amount: 3,65,000/- Mobile No.86849-19634, 17) Sapna daughter of Sukhdev Raj Begowal, Tehsil Bhulath Amount: 3,65,000/- Mobile resident of village District Kapurthala, No. 98765-52812, 18) Simarnjit Kaur daughter of Hardeep Singh resident of house No. 8622, Street NO. 07, Guru Angad Dev Colony, ATI Road Ludhiana Amount: 3,08,000/- Mobile No.70879-99095, 19) Bisha daughter of Vedpal Singh resident of such Sagar Colony, Sirsa, Haryana, at present resident of house NO. 1317, Phase-3B2, Mohali, Amount: 2,45,000/- Mobile No.95181-31201, 20) Gurpreet Kaur wife of Kuldeep Singh resident of H. NO. 1767 Phase-V, AS Nagar Amount: 3,08,000/- Mobile No.79885-43737, 21) Yashpreet Kaur daughter of Shinderpal Singh resident of house No. 1552, Phase-V, SAS Nagar Amount: 3,65,000/- Mobile No.86990-79183, 23) Raveena daughter of John Masih, resident of Quarter No. 05 Police Colony, Model Police Station, Mullanpur Dakha at present resident of house NO.1767, Phase-V, SAS Nagar, Amount: 3,65,000/- Mobile No.84376-89463, 24) Harpreet Kaur wife of Hardeep Singh resident of house NO. 166 near Gurudwara Malliana, Mohalla Malliana, Jandiala Guru, Tehsil and District Amritsar Amount: 4,00,000/- Mobile No.62848-53448, total amount Rs.

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77,89,000/-. Apart from it, the efforts were made to join the opposite party in the inquiry proceedings but during inquiry, it has found that earlier also many cases are registered against opposite party Devinder Gill and he has been arrested on 20.09.2021 by the Chandigarh Police in FIR No. 199 dated 25.05.2018 under section 406, 420, 120-B of IPC, registered at Police Station Sector 36 Chandigarh and presently he is confined in Burail Jail, due to which, he could not be joined in the inquiry proceedings. Conclusion report: As per the inquiry conducted by me, complaints of complainant, statements as well as perusal of the documents placed on case file, it has found that opposite party Devinder Gill, Krispi Khehra wife of Devinder Gill owner of School of International Study, D6, Industrial Area, Phase-I, SAS Nagar have given an advertisement on internet to send the students abroad, as per which, the complainant have contacted them to go abroad. Thereafter the opposite party has informed the complainants that you have to do course of Fashion Designing, Makeup artist of three months in the school of the opposite party and a course of 9 months will have to be done by you in abroad and there is no need of IELTS to go abroad. As stated by complainants, a Makeup Kit of Rs. 70,000/- will be given to each student/complainant for said course but after about one year from admission, the opposite party has given Make up kits to some students and same were not given to the all students. As stated by complainants, the opposite party has taken Rs. 57000/- from some students/complainant for arranging a fashion show. With regard to this amount, the complainants have presented the receipts and receipts of online payment, copies of which are enclosed with the report for your kind perusal. Apart from it, the opposite party has received the processing fee and Visa fee from each student/complainants, in which regard the complainants have presented the payment receipts and the receipts issued by the opposite party, which are enclosed with the report. During inquiry, it has found that the opposite party has cheated the complainants by taking amount from them as per the detail given below under the pretext to send them abroad. The detail of the amounts taken from the complainants is as follows: 1) Jyoti Anant Kaur daughter of Bikram Singh resident of house NO. 3110, Sector 23-D, Chandigarh Rs. 342000/-, mobile NO. 78111-11166, 2) Sabia Arora daughter of Tarsem Lal Arora resident of house NO. 19, Garden Colony, Patti, District Tarn Taran Amount: Rs. 2,70,000/-, mobile No. 70580-81786, 3) Gurkeerat Singh son of Gurdev Singh resident of Bhai Mati Dass Nagar, near ITI Mansa Road Bathinda, Amount Rs. 3,45,000/-, 4) Sandeep Kaur daughter of Harbakhsh Singh, resident of house NO. village Korva Khurd,

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District Ambala Rs. 3,65,000/-, mobile NO.99966-57445, 5) Priyanka daughter of Mukesh Lal resident of village Kama District SBS Nagar, Amount Rs. 3,65,000/- Mobile No. 62393-02274, 6) Reet Kaur Bajwa daughter of Satpal Singh resident of Akawali, District Farehabad, Haryana, Amount: Rs. 3,08,000/- Mobile No. 82643-79509, 7) Manpreet Kaur wife of Harjinder Singh resident of Niholka, Tehsil Kharar, District SAS Nagar Amount: 3,08,000/- Mobile No.97811-02774, 8) Avinash wife of Ashok Kumar resident of house No. 351, New Rattangarh Colony Ambala city Haryana, Amount: 3,28,000 9) Harvinder Kaur wife of Harpal Singh resident of H. NO. 9249, Kot Mangal Singh near Water Tank, Ludhiana Amount: 3,28,000/- Mobile No.82546-68184, 10) Harpreet Kaur daughter of Gurvinder Singh resident of H. No. K/22/3, TBRL colony, Ramgarh Panchkula, Haryana Amount: 3,65,000/- Mobile No.84275-33254, 11) Harashdeep Kaur daughter of Harvinder Singh resident of village Dehlon, District Ludhiana Amount: 3,44,000/- Mobile No.79869-18206, 12) Gurjeet Kaur daughter of Amandeep Singh resident of 4575/C-1 street No. 4, new Amar Nagar Waheguru Road, Ludhiana Amount: Rs. 3,35,000/- Mobile No. 99155-64000/-, 13) Sharma Meenu wife of Sh. Satish Kumar resident of H. No. 7547, Street No. 04 New Amar Nagar, Ludhiana Amount: 3,35,000/- Mobile No.81467-69799, 14) Anureet Kaur daughter Sukhpreet Singh resident of H. NO. 183, Ward No. 04, Soodan Wala Mohalla, Morinda Amount: 3,65,000/- No.98883-82494, 15) Bassi Rohit Kumar Mobile son of Sanjeev Kumar Bassi resident of H. No. 32-A, Canal View, Jaspal Bangar, Amount: 3,65,000/- Mobile resident of Ludhiana No.82849-07608, 16) Akashdep Singh son of Nishan Singh resident of village Rattak, Tehsil Assandh District Karnal, Amount: 3,65,000/- Mobile No.86849-19634, 17) Sapna daughter of Sukhdev Raj resident Begowal, Tehsil of village Bhulath District Kapurthala, Amount: 3,65,000/- Mobile No. 98765-52812, 18) Simarnjit Kaur daughter of Hardeep Singh resident of house No. 8622, Street NO. 07, Guru Angad Dev Colony, ATI Road Ludhiana Amount: 3,08,000/- Mobile No.70879-99095, 19) Bisha daughter of Vedpal Singh resident of such Sagar Colony, Sirsa, Haryana, at present resident of house NO. 1317, Phase-3B2, Mohali, Amount: 2,45,000/- Mobile No.95181-31201, 20) Gurpreet Kaur wife of Kuldeep Singh resident of H. NO. 1767 Phase-V, AS Nagar Amount: 3,08,000/- Mobile No.79885-43737, 21) Yashpreet Kaur daughter of Shinderpal Singh resident of house No. 1552, Phase-V, SAS Nagar Amount: 3,65,000/- Mobile No.86990-79183, 23) Raveena daughter of John Masih, resident of Quarter No. 05 Police Colony, Model Police Station, Mullanpur Dakha at present resident of house NO.1767, Phase-

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V, SAS Nagar, Amount: 3,65,000/- Mobile No.84376-89463, 24) Harpreet Kaur wife of Hardeep Singh resident of house NO. 166 near Gurudwara Malliana, Mohalla Malliana, Jandiala Guru, Tehsil and District Amritsar Amount: 4,00,000/- Mobile No.62848-53448, total amount Rs. 77,89,000/-. As stated above, out of total complainants, 23 complainants appeared in the inquiry and presented the detail and receipt of amount paid by them and also presented the copies of documents of the provided by courses the opposite party, which are enclosed herewith. It has found that Devinder Gill, Krispi Khehra owner of School of International Study, Immigration Company, Phase-I, Mohali and their partner Ravneet Singh Randhawa have cheated the amount of Rs. 77,89,000/- from the complainant under the pretext to send them abroad, therefore the action is required to be taken against the opposite party after getting opinion of DDA Legal. Apart from it, during investigation, if any other person of the opposite party is found involved, then the Investigating Officer can take action against him as per law. If approved, then after getting opinion from DDA, Legal, the Station House Officer Police Station, Phase-I, SAS Nagar be directed to register case against Devinder Gill, Krispi Khehra owner of School of International Study, Immigration Company, Phase-I, Mohali and their partner Ravneet Singh Randhawa. Report submitted for suitable order. Sd/- Superintendent of Police, City, SAS Nagar. The Superintendent of Police, City, SAS Nagar has sent his inquiry report along with original complaints to the Hon'ble Senior Superintendent of Police, SAS Nagar to get legal opinion from the DDA Legal. Sd/- Superintendent of Police, City, District SAS Nagar, whereupon the Hon'ble Senior Superintendent of Police, SAS Nagar has written "DDA, Legal, for opinion please. Sd/- Senior Superintendent of Police, SAS Nagar The DDA, Legal SAS Nagar has given his legal opinion vide letter No. 87/DDA (Legal) SAS Nagar dated 14.02.2022, which is follows: Sir, with regard to the subject cited above, I have carefully examined the complaint, documents placed on case file and inquiry report No. 201/5S/S.P/City/SAS Naar dated 10.02.2022 of Superintendent of Police, City, SAS Nagar. As per my opinion, according to the inquiry report, offence under section 406, 420, 120-B of IPC and section 13 of The Punjab Travel Professionals Regulation Act, 2014 is made out against Devinder Gill, Krispi Khehra owner of School of International Study, Immigration Company, Phase-I, Mohali and their partner Ravneet Singh Randhawa. During investigation, if the involvement of any other person is came in light then Investigating Officer can take action accordingly. If approved, then after register case against Devinder Gill, Krispi

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Khehra owner of School of International Study, Immigration Company, Phase-I, Mohali and their partner Ravneet Singh Randhawa, further necessary action can be taken. Sd/ Manjit Singh, DDA, Legal, SAS Nagar dated 14.10.2022. The DDA, Legal SAS Nagar has sent his opinion along with original complaints and inquiry report to the Hon'ble Senior Superintendent of Police, SAS Nagar, who written "Station House Officer, Police Station Phase-I, to register case." Sd/- Senior Superintendent of Police, SAS Nagar. Today on receiving in the Police Station, the case under above said sections has been registered against Devinder Gill, Krispi Khehra owner of School of International Study, Immigration Company, Phase-I, Mohali and their partner Ravneet Singh Randhawa. The record has been completed. Copies of FIR are being sent by post to the Ilaqa Magistrate and officers. Control room has been informed through telephone. Myself SI has taken the case file along with original complaints and going to investigate the case. MHC of Police Station has been directed to complete the record."

3. Learned counsel for the petitioner *inter alia* submits that the petitioner has been falsely implicated in this case. He further submits that the students had signed the contract after duly admitting the terms and conditions of the contract and after acknowledging their rights and duties. It was categorically and precisely mentioned in the contract signed by the student, that SOIS is in no manner related with any immigration services. The present complaint is totally against the terms and conditions of the contract entered between the parties. He further submits that after being enrolled as a student, as per admission form given by GLOW the complainants/students were also accordingly supplied the makeup kits by SOIS and after completion of their course, Certificate of Completion was given by the Director of GLOW College, Ontario, Canada. He further submits that it is admitted case of the complainant that she was a student and has enrolled herself for the purposes of completion of the course. It was

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never promised to her vide any offer letter or any other document that she would be sent abroad. Further perusal of the MOU between GLOW and SOIS would show that the SOIS was to provide infrastructure and the online course was to be conducted by GLOW from Canada. The course was of about 400 hours which was supposed to be taken by the students online and from online portals. The enrolled students, who had paid their fees to GLOW College, directly in Canada, were provided with unique ID used to login the online portal. It is neither the case of the complainant that SOIS never conducted the course nor it is there case that they were not provided with authentic certificates post completion of the course. He further submits that the petitioner has undergone an actual custody of 01 year, 05 months and 16 days.

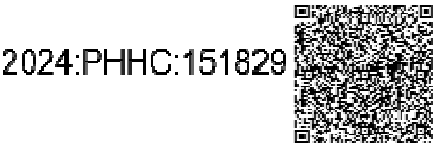
4. *Per contra*, learned State counsel as well as counsel for the complainant has vehemently opposed the petition.

5. Learned State counsel has submitted that in view of the seriousness of the matter, IGP Rupnagar Range constituted a Special Investigation Team comprising of Superintendent of Police (Headquarter), District Rupnagar (Chairman), Deputy Superintendent of Police (Headquarter), District Rupnagar (Member) and Deputy Superintendent of Police (Narcotics), District SAS Rupnagar (Member) to conduct a fair and impartial investigation of the present case i.e. FIR No.32 (supra) vide office order No.179-85/RPC/RR/6 dated 11.03.2022. He further submits that thereafter, SIT conducted the thorough investigation and joined the complainants of the present case in the investigation and recorded their

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respective statements. The notices under Section 41-A Cr.P.C were issued to the co-accused Krispy Khaira (wife of the petitioner) on different dates however, she did not join the investigation. The staff members of the SIT also tried reaching out to her by continuously calling on her mobile phone number, however, the said mobile number was found to be switched off. After giving plenty of opportunities to the co-accused Krispy Khaira, the SIT submitted its report dated 10.05.2022 in the office of DIG, District Rupnagar vide office letter dated 10.05.2022 whereby, the SHO, Police Station Phase-I, District SAS Nagar was directed to conduct further investigation as per the enquiry report. He further submits that during investigation, details regarding Pan card, Adhaar card, Passport and other related documents of the co-accused Krispy Khaira were sought. The bank account statements of Devinder Singh Gill (petitioner) and the bank accounts statements associated with SOIS were also obtained and examined. Thereafter on 25.05.2023 was arrested in the present case on the basis of production warrants, with the permission of the Ld. Court his police remand was obtained for 03 days. However, during interrogation, the petitioner did not disclose the whereabouts of the co-accused Krispy Khaira (wife of the petitioner) and co-accused Ravneet Singh Randhawa, nor he produced any relevant document. Thereafter on 28.05.2023, the petitioner was again produced before the Ld. Court wherein, the Ld. Court further extended the remand period of the petitioner for 2 days. The report with regard to the registration of SOIS was also obtained from the dealing clerk of P.O.E, Sector 34-A Chandigarh on 30.05.2023 and the statement of the clerk was



also recorded under Section 161 Cr.P.C. Thereafter, the petitioner was again produced before the Ld. Court on 30.05.2023 wherein, he was sent to the judicial remand by Ld. Court. He further submits that during investigation, the record was also obtained from Bandhan Bank, Branch Phase 3B-2 Mohali which revealed that the account No. 10200000259273 of the School of International Studies, D6, Phase-1, Mohali is registered in the name of the petitioner and co-accused Krispy Khaira. He further submits that efforts were made to arrest the co-accused Krispy Khaira and Ravneet Singh Randhawa by conducting raids at their respective houses and other suspected places, however, they could not be arrested as they have been evading their arrest and are on a run. Accordingly, secret sources have been deputed to trace out their whereabouts. He further submits that from the investigation conducted, the offences against the petitioner stood duly proved and accordingly, the report u/s 173 was prepared on 03.07.2023 and presented before the Ld. Court of competent jurisdiction on 24.07.2023, charges have been framed on 09.01.2024. Out of the total 13 prosecution witnesses, 2 prosecution witnesses stand examined. He also submits that as per the official record, apart from the present case, the petitioner is also involved in the following cases:-

Sr. No.	Particular of FIRs	Status
1	CBI/RCCHG2011/ Chandigarh dated 04.05.2011	Convicted
2	FIR No.62 dated 22.03.2014, under Sections 406, 420, 120-B IPC, Police Station Phase-1, District SAS Nagar	Acquitted
3.	FIR No.196 dated 20.07.2014, under Sections 406,	Acquitted

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	420, 120-B IPC, Police Station Chandimandir, Panchkula	
4	FIR No.236 dated 14.08.2014, under Sections 406, 420, 120-B IPC, Police Station Sector 17, Chandigarh	Acquitted
5	FIR No.150 dated 04.10.2014, under Sections 406, 420, 120-B IPC, Police Station Phase-8, District SAS Nagar	Acquitted
6	FIR No.127 dated 28.11.2014, under Sections 406, 420, 120-B IPC and Section 24 of Emigration Act, Police Station Phase-11, District SAS Nagar	Untraced report
7	FIR No.17 dated 01.10.2015, under Sections 406, 420, 120-B IPC, Police Station NRI, District SAS Nagar	Under trial
8	FIR No.123 dated 13.12.2016, under Sections 406, 420, 120-B IPC, Police Station Phase-11, Mohali	Under trial
9	FIR No.10 of 2015, under Section 420 IPC, Police Station Phase-11, Mohali	Untraced report accepted on 16.01.2015
10	FIR No.100 of 2015, under Section 420 IPC, Police Station Phase-11, Mohali	Quashed
11	FIR No.03 dated 08.01.2016, under Sections 419, 420, 465, 467, 471 & 120-B IPC, Police Station Phase-1, Mohali.	Acquitted
12	FIR No.62 dated 03.06.2016, under Sections 406, 420, 506, 120-B IPC and Section 24 of Emigration Act, Police Station Phase-11, Mohali	Under trial
13	FIR No.75 dated 06.07.2016, under Sections 406, 420, 506, 120-B IPC and Section 24 of Emigration Act, Police Station Phase-11, Mohali	Under investigation
14	FIR No.76 dated 07.07.2016, under Sections 406, 420, 506, 120-B IPC and Section 24 of Emigration	Under investigation

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	Act, Police Station Phase-11, Mohali	
15	FIR No.124 dated 15.08.2017, under Sections 406, 420 IPC, Police Station Mataur, Mohali	Under trial
16	FIR No.271 dated 03.09.2016, under Section 420 IPC, Police Station Sector 39, Chandigarh	Under trial
17	FIR No.199 dated 25.05.2018, under Sections 406, 420, 120-B IPC, Police Station Sector 36 Chandigarh	Under trial
18	FIR No.158 dated 31.07.2019, under Sections 420, , 120-B IPC, Police Station Sector 36 Chandigarh	Under trial
19	FIR No.55 dated 26.03.2021, under Sections 420, 120-B IPC Police Station Sector 36, Chandigarh	Under trial
20	FIR No.05 dated 22.03.2022, under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, Police Station NRI, SAS Nagar	Under trial
21	FIR No.77 dated 21.04.2022, under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Act, Police Station Phase-1, SAS Nagar, Mohali	Under trial
22	FIR No.6 dated 06.01.2017, under Sections 406, 420, 506, 120-B IPC, Police Station Phase-11, SAS Nagar, Mohali	Under trial
23	FIR No.141 dated 11.12.2015, under Sections 406, 420, 506, 120-B IPC, Police Station Phase-11, SAS Nagar, Mohali	Under trial
24	FIR No.121 dated 09.09.2017, under Sections 420-B, 120-B IPC, Police Station Lehra, District Sangrur	Under investigation
25	FIR No.26 dated 03.02.2016, under Sections 406, 420, 120-B IPC, Police Station City-1 Moga, District Moga	Report accepted by the learned Court on 03.05.2021
26	FIR No.231 dated 26.11.2022, under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel	Under investigation

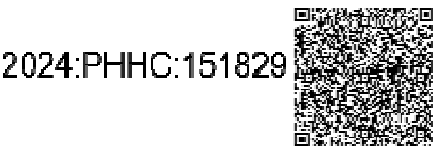
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	Professional Act, Police Station Phase-1, Mohali	
27	FIR No.233 dated 04.12.2022, under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professional Act, Police Station Phase-1, Mohali	Under investigation
28	FIR No.234 dated 04.12.2022, under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professional Act, Police Station Phase-1, Mohali	Under investigation
29	FIR No.61 dated 09.04.2023, under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professional Act, Police Station Phase-1, Mohali	Under investigation
30	FIR No.90 dated 07.04.2023, under Sections, 420, 120-B IPC, Police Station Sector 36, Chandigarh	Under trial
31	FIR No.32 dated 17.02.2022, under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professional Act, Police Station Phase-1, Mohali	Under trial
32	FIR No.130 dated 16.07.2023, under Sections 406, 420, 120-B IPC and Section 24 of Immigration Act, Police Station Phase-1, Mohali	Under investigation
33	FIR No.123 dated 29.06.2024, under Sections 406, 420 IPC and Section 24 of Immigration Act, Police Station Phase-1, Mohali	Under investigation

6. Learned State further submits that apart from the aforesaid cases/FIRs, the following cases are also pending against the petitioner before the learned Courts:-

Sr. No.	Particulars of case	Under Section(s)	Court
1	NACT/16901 of 2019	138 NI Act	JMIC Chandigarh
2	NACT/780 of 2020	138 NI Act	JMIC Mohali
3	NACT/773 of 2020	138 NI Act	JMIC Mohali
4	NACT/16902 of 2019	138 NI Act	JMIC Chandigarh
5	NACT/3720 of 2017	138 NI Act	JMIC Chandigarh

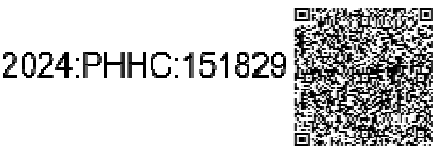


6	NACT/17528 of 2018	138 NI Act	JMIC Chandigarh
7	NACT/17516 of 2018	138 NI Act	JMIC Chandigarh
8	NACT/774 of 2019	406 & 420 IPC	JMIC Mohali
9	NACT/775 of 2020	406 & 420 IPC	JMIC Mohali
10	NACT/779 of 2020	406 & 420 IPC	JMIC Mohali
11	NI/774 of 2020	138 NI Act	CJM Mohali
12	CM/222 of 2022	138 NI Act	CJM Mohali

7. Learned State counsel has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone actual custody of 01 year, 05 months and 16 days. He however, submits that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

8. Heard the rival submissions made by learned counsel for the parties.

9. It is not disputed that the petitioner was admitted in Model Jail, Chandigarh on 30.05.2023 from Rupnagar Jail after being produced in District Court, Chandigarh. The petitioner has been specifically named in the above-said FIR and there are serious allegations leveled against him that he along with co-accused had cheated the complainants to the tune of Rs.77,89,000/- on the pretext of sending them abroad and to procure study visas and work visas for them, however, they neither sent the complainants abroad nor did they return their aforesaid money. Moreover, the petitioner is a habitual offender and there are various other FIRs/cases registered against him and there is every likelihood that he would evade the process of law.



10. In recent times, the Courts have been flooded with similar litigation where innocent families have been financially exploited on the promise of sending their children abroad. Courts have often flagged the seriousness of such offences due to the financial and emotional harm caused to the families.
11. In view of the afore-mentioned facts & circumstances of the case as well as submissions made by learned counsel for the State, this Court does not deem it appropriate to grant the concession of regular bail to the petitioner.
12. The petition is accordingly dismissed.

Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

20.11.2024
Ramandeep Singh

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes/ No