



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

105

CRM-M-213-2025

Date of decision: 09.01.2025

Jatinder Singh

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vivek K. Thakur, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for seeking anticipatory bail in the event of arrest in case FIR No.136 dated 24.10.2024 registered under Sections 420 and 406 of the Indian Penal Code, 1860 and Section 13 of the Punjab Travel Professional Regulation Act, 2014 at Police Station Satnampura, Phagwara, Distt. Kapurthala (Annexure P-1).
2. Learned counsel for the petitioner argues that the petitioner and his wife have been falsely implicated in the FIR in question (Annexue P-1) due to a monetary dispute arising from the petitioner borrowing Rs.4,17,500/- from the complainant to establish a dhaba. Learned counsel has further vehemently argued that the petitioner is neither a travel agent nor is he running any travel agency and that the allegations of taking Rs.6,17,500/- under the pretext of arranging a visa to England are baseless as they are not supported by any cogent evidence. It has been further claimed

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that even otherwise the version put forth by the complainant in the FIR in question is not only fabricated but implausible, and furthermore since the case of the complainant is based on documentary evidence the petitioners custodial interrogation would not be required.

3. Heard.

4. The case of the prosecution in a nutshell is that about one and a half years prior to the registration of the FIR in question, the petitioner along with his wife took the house of the complainant on rent and started a restaurant. The petitioner suggested to the complainant that on account of his NRI connections, the former could facilitate the process of sending the petitioner to England in which regard a deal was struck for Rs.18,00,000/- with Rs.6,17,500/- paid in advance by the complainant to the petitioner. An amount of Rs.4,17,500 was transferred by the complainant to the bank accounts of the petitioner besides paying an additional Rs.2,00,000/- in cash. Despite these payments, no visa was arranged and on being pressured by the complainant, the petitioner issued a cheque for Rs.5,00,000/- which was dishonoured. The petitioner and his wife thereafter closed their restaurant which they were running in the house of the complainant and became untraceable.

5. Prima facie the allegations against the petitioner are serious and specific, involving documented financial transactions. The claim of the petitioner of false implication due to a monetary dispute cannot be delved into, at this stage, especially when bank records prima facie substantiate the transactions. Further, the petitioner has prior cases of cheating registered against him, indicating dubious antecedents.

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6. There is a concerning trend of vulnerable individuals being duped by unscrupulous persons under the pretext of securing foreign visas, leading to not only financial but also personal losses. Hence, given the gravity of the allegations, the criminal history of the petitioner, and the broader issue of exploitation of innocent persons by fraudulent travel agents-individuals, this Court does not deem it appropriate to extend the extraordinary concession of anticipatory bail to the petitioner.

7. Accordingly, the instant petition is hereby dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 09, 2025
poonam

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No