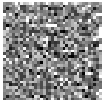


2025:PHHC:008055



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3228-2025
DECIDED ON: 21.01.2025

NAVPREET SINGHPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Chranjit Singh Bahia, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. Relief sought

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.357, dated 18.09.2024, under Sections 420, 465, 467, 468, 471, 506, 120-B of IPC and Section 138 of NI Act and 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station City Faridkot, District Faridkot.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“Complaint No. 125/PDG/24 Dated 30.07.2024 given by Jaswinder Singh son of Sajjan Singh resident of Badhai, Tehsil and District Sri Muktsar Sahib alongwith enquiry report of Si Jaswant Singh No. 400/FDK Incharge E.O. Wing Faridkot, approval of Superintendent of Police (PBI & Inv) Faridkot and order of Senior Superintendent of Police Faridkot is received at police station for registration of FIR. Contents of complaint are as under, "To, S.S.P. Sahib Faridkot. Subject:- Complaint against 1) Navpreet Singh, Managing Director, Smart Way IELTS/PTE/Spoken English, Office at College Road, Near Sethi Dairy, Faridkot, Phone No. 90411-86196 and 79867-20800. Sir, Complaint is as under:- 1) That I, Jaswinder Singh son of Sajjan Singh am permanent resident of Village Badhai, Tehsil and District Muktsar. 2) That afore-mentioned immigration agency is having its office at

College Road, Near Sethi Dairy, Faridkot having Phone No. 90411-89196 and 79867-20800. 3) That I had got submitted my daughter Manpreet Kaur's file for work permit of Canada through accused No. 01 and 02 of aforementioned agency. In lieu of work permit, afore-mentioned agency had demanded Rs. 27,00,000/- (Rupees Twenty-Seven Lac Only) from me, out of which I had paid them Rs. 3,00,000/- (Rupees Three Lac) vide Cheque No. 000005 Kotak Mahindra Bank, which was paid from the account of my daughter Manpreet Kaur. (Photocopy of cheque is attached herewith). 4) That on 15 November 2023 Rs. 75,000/-, on 02 December 2023 Rs. 40,000/-, on dt. 04.12.2023 Rs. 35,000/- and on 03 January 2024 Rs. 68,000/- was paid from the account of my brother-in-law Harwinder Singh to accused No. 02 Arsh Sandhu. 5) That on 19 February 2024 Rs. 20,000/- and on 27 February 2024 Rs. 15,000/- was transferred from my account in the account of Jashanpreet Singh. Accordingly, afore-mentioned accused in connivance with each other have committed fraud of Rs. 5,53,000/- (Rupees Five Lac Fifty-Three Thousand Only) with me. 6) That the accused named in subject cited above have received interest of 04 months at the rate of Rs. 75,000/- per month for showing funds of Rs. 25,00,000/- in my account but afore-mentioned accused had showed only Rs. 15,00,000/- in my account. 7) That the afore-mentioned accused had promised that if your work permit is refused or if visa is not granted then we shall return all your money which we have received from you. 8) That accused No. 02 had given one Cheque No. 000001 Dated 18.05.2024 HDFC Bank Faridkot of Rs. 2,87,000/- which has been bounced twice due to lack of sufficient funds in account of the accused. 9) That till date my daughter's visa has not come nor afore-mentioned accused have submitted any file for visa and accordingly 11 months have passed but my daughter has not get any visa. I have doubt that afore- mentioned persons in connivance with each other have committed fraud with me. 10) That whenever I visit afore-mentioned persons to demand my money then they give me excuses only and they do not listen to me and many times they have fixed time for returning my money but then they do not come at fixed place and time to return my money. Accordingly, they are harassing me. 11) That on dt. 25.07.2024 when I visited afore-mentioned accused to demand my money then instead of returning my money they gave threats to me and said that we shall not return any money to you, you can do whatever you want to do. We have very high approach and we all immigration agents are one. Many people like you have given complaints against us earlier also but nobody has done anything against us and you can do whatever you want to do. They gave me threats that we shall give complaint against you that you have given threats to us by coming in our office and have caused damage in our office. Accordingly, accused pushed me out of their office by insulting me. It is, therefore, requested that legal action be taken against afore-mentioned accused No. 01 and 02, enquiry of this matter be conducted through any competent officer and my money be recovered and returned to me”

3. Contention

On behalf of the petitioner

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has never received any money

as alleged by the complainant. He further submits that the money in question was credited to the account of one Arsh Sandhu, who, in turn, issued a cheque to the complainant in discharge of his legal liability. Accordingly, it is contended that the petitioner has no involvement or connection with the alleged incident.

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jaspal Singh Guru, AAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition, though could not produce any incriminating material to connect the petitioner with alleged commissioning of offence.

4. **Analysis**

Be that as it may, having given a considerable thought to the submissions made hereinabove especially to the fact that the petitioner is not the beneficiary of the amount in question, is not involved in any other case, meaning thereby he is a person of clean antecedents, this Court is of the considered view that there is no valid or cogent reason to deny the concession of anticipatory bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. **Decision**

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the

terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

21.01.2025

Meenu

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No