IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6807-2025
Reserved on: 07.04.2025
Pronounced on: 22.04.2025

Ravinder Singh @ Ravi Saab ...Petitioner

Versus

State of U.T. Chandigarh …Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. H.P.S. Sandhu, Advocate,
for the petitioner.

Mr. Manish Bansal, Public Prosecutor and
Mr. Navjit Singh, Advocate,
for UT Chandigarh.

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ANOOP CHITKARA, J.

FIR No.	**Dated**	**Police Station**	**Sections**
80	02.05.2024	Sector-17, Chandigarh	406, 420, 120-B IPC

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking regular bail.

2. In paragraph 12 of the bail petition and as per paragraph 10 of the status report, the accused has the following criminal antecedents:

Sr. No.	**FIR No.**	**Year**	**Offenses**	**Police Station**
1.	96	2024	406, 420, 467, 468, 471, 120-B IPC	Sector-17, Chandigarh
2.	115	2024	406, 420, 120-B IPC	Sector-17, Chandigarh
3.	150	2024	406, 420, 120-B IPC	Sector-17, Chandigarh
4.	158	2024	406, 420, 467, 468, 471 120-B IPC	Sector-17, Chandigarh
5.	166	2023	406, 420, 120-B IPC	Sector-17, Chandigarh
6.	190	2024	406, 420, 467, 468, 471 120-B IPC	Sector-17, Chandigarh
7.	198	2024	406, 420, 467, 468, 471 120-B IPC	Sector-17, Chandigarh
8.	03	2020	406, 420, 120-B IPC and Section 13 of Punjab Travel Professional Act, 2014	City Kharar, SAS Nagar, Mohali

3. The facts and allegations are being taken from the status report filed by the State, which reads as follows:

"4. That the brief facts of the case are that the instant FIR was registered

on basis of a complaint by Amrik Singh Khinda alleging therein that he wanted to send his son Amanpreet Singh Khinda to abroad for higher studies. He was arranging money for this purpose; however, he could not arrange the full amount. It was further alleged that his son Amanpreet Singh Khinda came to know about one BB Council, Bridge Market, Sector-17-D, Chandigarh was engaged in the business of sending children abroad by arranging study loan. The complainant's son talked to the staff of the B.B. Council on the given number and then they were called to their office at Chandigarh with some documents like school certificates, passport of Amanpreet Singh Khinda and IELTS band certificate in original. Accordingly, the complainant and his son went to the B.B. Council's office with the requisite documents and their signatures were taken on some blank papers. Thereafter, they were also made to pay Rs. 40,000/- as processing fee through mobile banking in the account of B.B Council. Thereafter, Ms. Payal and Ms. Rachna interacted with them on behalf of B.B. Council and asked them to deposit Rs.10,000/- in account to provide offer letter. Then, they deposited the amount in their account through mobile banking. At that time also their signatures were taken on some blank agreement. After that Ms. Payal and Ms. Rachna gave them offer letter, wherein the name of the college was mentioned as Focus College. It was a private college and no work permit was given for that college, however, Ms. Rachna told them that it was their own college and they need not to worry for work permit. She asked them to give necessary documents for taking loan. Thereafter, they took 10 blank cheques of Bank of Baroda from him with serial No.000016 to 0000025. Ms. Rachna had assured to arrange loan of Rs. 8 to 10 lakhs within a month for college fees, but he was asked to arrange for GIC and other expenses himself. They returned their home. After 20 days, the complainant received telephonic call that loan had been sanctioned, however, Amanpreet Singh Khinda's life insurance had to be done, for which Rs. 1.5 lakh were required. On their insistence, they gave Rs.1.5 lakhs to them in cash. They gave them LOA which was different from previous college, however, they were told that it was better college and work permit was also available there. Thereafter, they were forced to deposit money several times in the name of loan instalments to open GIC account etc. They also took 120 cheques from the complainant for a loan for a period of 10 years, however, they continued to take loan instalment from them through mobile banking. Also, as per the allegations in the FIR, the petitioner/accused and co-accused Manpreet Singh Brar attended the complainant and received Rs 3.25 lakhs from the complainant on the pretext of depositing GIC. The petitioner/accused *along with co-accused had also obtained the signatures of the complainant and his son on affidavit on the pretext of providing them student loan at low interest rates. However, the accused neither sent his son to abroad for higher studies nor returned their money. A fraud was played with them. They pressurized them to give money and extended threats to misuse his blank signed cheques."*

4. The petitioner's counsel prays for bail by imposing any stringent conditions including in case, petitioner repeats the offence, he would have no objection if State files an application for cancellation of his bail. He further contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

5. The State's counsel opposes bail and refers to the status report.

6. It would be appropriate to refer to the following portions of the status report, which read as follows:

*"**INCRIMINATING EVIDENCE & ROLE OF THE PETITIONER**:-*

5. That after the registration of instant FIR, investigation was put into motion. During investigation, it transpired that the present petitioner is the proprietor of the firm B.B. Counsel SCO no.69 Top Floor, Sector 17-D Chandigarh. It further transpires that admission letter of the son of complainant which was given by the accused persons was fake and fabricated. Moreover, more complaints alleging fraud and cheating have been received against the petitioner/accused and other co-accused persons out of which thirty more complaints were attached with the instant FIR in which similar kind of allegations levelled by the complainant against the petitioner and co-accused persons. In above said thirty complaints a total fraud of Rs.90,00,000/- approximately was done with the different complainants by the petitioner and co-accused persons.

6. That apart from these 30 complaints, 129 more complaints were received against the petitioner and other co-accused persons for which total 11 more FIR's have been registered against the present petitioner/accused and co-accused. It would be pertinent to mention here that further 03 (three) more complainants have been received against the present petitioner recently for which FIRs are yet to be registered.

7. That the petitioner/accused in collusion with other co-accused cheated and duped the money of the complainant to the tune of Rs.7,00,540/ on the pretext of sending his son abroad on student visa and for securing work permit for him, but, neither visa was provided, nor money was refunded by the petitioner and co-accused. However, 29 more complaints were attached with the instant FIR as such the petitioner and co-accused duped Rs.

> *90,00,000/- in total including Rs.7,00,540/- of the present complainant.*
> *8. That the petitioner was specifically named in the instant case/FIR and he is the proprietor of firm B.B. Counsel having office at SCO no.69 Top Floor, Sector 17D. Chandigarh. As per the allegations he and his co-accused Manpreet Singh Brar attended the complainant and received Rs.3.25 lakhs from the complainant on the pretext of depositing GIC and they had also obtained the signatures of the complainant and his son on affidavit on the pretext of providing them student loan at low interest rates. They also obtained more than 120 blank signed cheques from the complainant on the pretext of providing them loan for a period of 10 years.*
> *9. That during the course of investigation it is found that the offer letter handed over by the accused persons to the complainant and his son was fake and fabricated. Therefore, section 467, 468 and 471 of IPC were added in the present case."*

REASONING:

7. There are numerous complaints against the petitioner but for those complaints, present bail cannot be declined. Those complaints are yet to be culminated in FIR. Given the undertaking made by counsel for the petitioner that in case, petitioner repeats the offence, after the date of undertaking, he has no objection, in case, State may file an application for cancellation of bail, as such, petitioner is entitled to bail.

8. There is sufficient primafacie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing. As per paragraph 2 of the bail petition, the petitioner has been in custody since 17.08.2024. As per the custody certificate dated 07.04.2025, the petitioner's total custody in this FIR is 07 months and 22 days. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the primafacie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability for further pre-trial incarceration at this stage.

9. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

10. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

11. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

12. This order is subject to the petitioner's complying with the following terms.

13. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case or dissuade them from disclosing such facts to the Police or the Court.

14. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

22.04.2025
Jyoti-II

Whether speaking/reasoned: Yes
Whether reportable: No.