



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

CRM-M-7586-2025

Date of Decision: 14.02.2025

Gurkirat Singh Sidhu alias Sunny Chahal

...Petitioner

vs.

State of U.T., Chandigarh

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Aman Mittal, Advocate with
 Mr. Sumit Kumar, Advocate
 for the petitioner.

Mr. Manish Bansal, P.P. for U.T., Chandigarh with
Mr. Vijay Kumar, Advocate assisted by ASI Harnek Singh.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the instant petition under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 with a prayer to grant regular bail in case FIR No.107 dated 07.06.2024 registered under Sections 420, 467, 468, 471, 120-B of IPC, at Police Station Sector-17, Chandigarh.

2. Learned counsel for the petitioner contends that the petitioner was working as an employee in Vast Visa Immigration Solution, Chandigarh. In fact, the firm namely M/s Vast Visa Immigration Solution, Chandigarh is owned by Kulvir Singh Kaura, who has not been arrested so far. Learned counsel further contends that in the present case, all the money was received by Kulvir Singh Kaura and there are no financial transactions between the complainant and the present petitioner. He further contends that the petitioner was only a salaried employee and had no concern with the affairs of the Firm of



Kulvir Singh Kaura. The petitioner was arrested in the present case on 29.06.2024 and is still continuing in custody.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner and submitted that five more FIRs have been ordered to be registered against the present petitioner and the petitioner had cheated 21 victims of the huge amount. Thus, the petition deserves to be dismissed by this Court.

4. I have heard the learned counsel for the parties and perused the record.

5. No doubt, five more criminal cases have been registered against the petitioner, but the petitioner cannot be denied the concession of bail in the present case only on that ground because the petitioner has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. The reliance can be placed on the law laid down by the Hon'ble Supreme Court in the matter of "***Prabhakar Tewari Vs. State of U.P., and another***" 2020(1) R.C.R. (Criminal) 831, wherein it has been held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of "***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another***" 2012(1) R.C.R. (Criminal) 586. The petitioner was arrested in the present case on 29.06.2024 and is in custody since then. Even, during the course of investigation, it has been found that the petitioner was an employee of M/s Vast Visa Immigration Solution, Chandigarh, which is owned by Kulvir Singh Kaura. Even the offences are triable by the Court of Magistrate and there is no likelihood of early conclusion of the trial.



6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned, subject to the following conditions:-

(i) *The petitioner 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 to disclose such facts to the Court or to any other authority.*

(ii) *The petitioner shall remain present before the Court on the dates fixed for hearing of the case.*

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner involves in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

14.02.2025

hemlata

(N.S.SHEKHAWAT)
JUDGE

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