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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7917-2025 (O&M)
Date of decision: 11.02.2025

Khushal Sharma

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

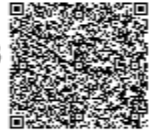
Present: Mr. Nirmal Singh, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.379 dated 19.11.2024 under Sections 406, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 and Sections 10 & 24 of Emigration Act, registered at Police Station Pehowa, District Kurukshetra.
2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner has no concern with the alleged cheating. In fact, only Rs.1.20 lakhs

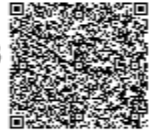
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were received by the petitioner in his account, which were deposited by the complainant and after registration of FIR (*supra*), he has deposited back the said amount in the account of the complainant. The main accused is Neeraj Sharma and the petitioner has been falsely implicated in the present case and as such, he is entitled to concession of anticipatory bail.

3. *Per contra*, learned State counsel opposes the prayer for grant of anticipatory bail to the petitioner on the ground that main accused Neeraj Sharma is none other than real brother of the petitioner and his father is also one of the accused. They have formed a gang, which allures the innocent people and takes money on the pretext of sending them abroad. The complainant paid Rs.5.57 lakhs to the accused persons from time to time for sending him to Australia, however, a fake visa was provided to him. As such, intention to cheat the complainant from the very inception is writ large. It is further submitted that custodial interrogation of the petitioner is required to unearth the truth and to ascertain the *modus operandi* and the manner, in which the forged visa was prepared. Learned State counsel relies upon a judgment of this Court passed in ***Sarabjit Kaur Vs. State of Punjab, CRM-M-52017-2022***, decided on 14.11.2022, wherein the following was observed: -

“Needless to say, such type of cheating, duping and fraud is rampant in our society and is often adopted by fraudsters and unscrupulous persons on pretext of sending innocent people



abroad and thereby duping them. This has become a cakewalk to amass wealth illegally overnight which needs to be curbed with an iron hand to save the innocent people.”

4. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

5. Keeping in view the facts and circumstances of the case and the allegations levelled against the petitioner, without commenting further on merits of the case, lest it may prejudice the rights of either of the parties, this Court finds no ground to grant the concession of anticipatory bail to the petitioner.

6. Accordingly, present petition is dismissed.

[HARPREET SINGH BRAR]
JUDGE

11.02.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No