



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-9241-2025(O&M)

Date of Decision:-29.08.2025

Harjinder Singh.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Amit Gupta, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Ms. Kulwinder Pal Kaur Gill, Advocate for the Complainant.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this second petition under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 is for the grant of regular bail to the petitioner in case FIR No.89 dated 09.11.2024 under Section 420, 120-B IPC and Section 13 of the Punjab Travel Professional (Regulation) Act, 2012 registered at Police Station Smalsar, District Moga.

2. The FIR came to be registered at the instance of Jaskaran Singh and reads as under:-

“ An application number 2812-PC-7/24 dated 24.06.2024 to Hon'ble SSP Moga by Jaskaran Singh son of Jugraj Singh resident of village Bhaloor district Moga against Manjit Singh alias Chana son of Ajaib Singh resident of Nawan Chuharchak district Moga (2) Jaspreet Kaur wife of Manjit Singh resident of



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village Nawan Chuharchak district Moga (3) Harjinder Singh son of Surjit Singh, resident of Raikot Road, Jagrao, whose facts are as follows, "To, SSP Moga. Subject:-Application against (1) Manjit Singh alias Chana son of Ajaib Singh, resident of Nawan, Chuharchak District, Moga 98149-30072 (2) Jaspreet Kaur, wife of Manjit Singh, resident of Village Nawan Chuharchak District Moga 98721 45708 (3) Harjinder Singh son of Surjit Singh resident of Raikot Road Jagrao 94176-95742, regarding fraud of crores on the pretext of sending abroad to Australia/Canada. Respected sir, I am Jaskaran Singh son of Jugraj Singh resident of village Bhaloor district Moga. I do repair work of Fridge and AC. My work shop is at Village Mudki District Ferozepur. Among my relatives, my aunt's son-in-law Harjinder Singh son Surjit Singh resident of Raikot Road Jagrao and Harjinder Singh's uncle's boy Manjit Singh alias Chana son Ajaib Singh resident of Nawan Chuharchak district Moga who works as travel agent and send people abroad. Around the first week of January 2023, Harjinder Singh and Manjit Singh @ Chana met Jaskaran Singh at the shop of Harjinder Singh's brother in law, namely Balraj Singh @ Raja at Rabb Nagar, Moga, where Manjit Singh @ Channa told Jaskaran Singh that his brother-in-law has a reputed business in Australia and he arrange single and family work visas for people. And my brother-in-law also has a good reputed business in Canada and he also arranges Canadian work permits. Harjinder Singh and Manjit Singh alias Chan lured me by saying that sending a person to Canada would cost 25-26 lakh rupees and if sending to Australia it would cost 22 lakh and for family Viza it would cost 27 lakh rupees. If you are interested to send any person abroad you can contact me on my mobile number



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9814930072 or meet me at my house village New Chuhar chak GT Road Moga. Manjit Singh said that he himself is a government employee and his wife is also a government teacher and he owns a sufficient property. He also told me that if we apply for a visa together as a group, then the visa will be approved quickly. Then after a few days, I submitted my file for family visa to Australia on the work permit for my wife Ramandeep Kaur Ghatora and my two children through accused Manjit Singh and his wife Jaspreet Kaur. And then after a few days, I called my sister Sukhdev Kaur, wife Gurpreet Singh, resident of Piliyan Wanga, District Hanumangarh, Rajasthan and talked about sending her to Australia, my sister also submitted her file for visa, to which Manjit Singh assured to send the entire family on work visa to Brisbane, Australia in next 3 to 4 months. Manjit Singh said that you put the money in my account number and sent an e-mail address and the account number to my WhatsApp number. That the account was of ICIC bank. At the asking of Manjit Singh, I transferred an amount of Rs. 5 lakh from my saving account with HDFC Limited Bank, Branch Mudki to the account No. No.016301553459 with ICICI Bank, in the name of accused Manjit Singh. He told me that this amount is just the case initiation fee. After that I talked about the case of another girl Joti daughter of Basant Singh village Kabbarwachha district Ferozepur and put another 5 lakhs in Manjit Singh's account. In these days other people also got ready to apply their case, Manjit Singh met these people in my shop at Village Mudki and they all agreed to go abroad. In which (1) Gurtej Singh son of Balwinder Singh, (2) Satwinder Singh son of Kulwinder Singh, (3) Gurjit Singh son of Jalandhar Singh, (4) Navdeep Kaur son of Jasvir



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Singh, (5) Karamjit Singh son of Pritam Singh, resident of village Gill district Ferozepur, (6) Manpreet Singh son of Harwinder Singh resident of Bagha Purana, (7) Mandeep Singh son of Satpal Singh, (8) Rajdeep Singh son of Puran Singh resident Nangal District Faridkot, (9) Balwinder Kaur wife of Muhammad Latif resident of Kabarwaddha, District Ferozepur, (10) Mandeep Singh son of Gurdev Singh resident of Salina District Moga. On the request of Manjit Singh, I collected money at my own level to get the visa from these persons, because Manjit Singh told me that if you form a group and apply for a work visa, then the visa will come quickly. I used to get the money deposited in my account from the above mentioned persons and later transfer it to Manjeet Singh's account. I am attaching the bank statement of the amount deposited by me in Manjit Singh's account. I gave about 2 crores 15 lakh rupees through the bank and about 35 lakh rupees in cash on different dates to Manjit Singh and his wife Jaspreet Kaur at his house in the presence of Harvinder Singh son of Mukhtiar Singh resident of Bagha Purana and Jalandhar Singh resident of village Gill district Ferozepur. At that time, his wife also assured us and she used to make us talk to her relatives on WhatsApp call from her phone and tell them that we will definitely do your work, if not then we will return all the money. For all the persons mentioned above, I took the money and gave it to Manjit Singh, but Manjit Singh did not take any action to send these persons abroad while the money was fraudulently taken by him. We are now requesting Manjit Singh and his wife Jaspreet Kaur to return the money of the people mentioned above, but Manjit Singh and his wife are refusing us, they have also turned off the phone and have threatened us many times. We went to meet Manjit Singh's



parents in Bathinda and told them about the fraud committed by their son and daughter-in-law. On the pressure of Manjit Singh's parents, Manjit Singh returned 6 lakh rupees to us and this amount was credited to my account. Statement is attached along with application. From the above mentioned facts, it is requested to take strict legal action against Manjit Singh and his wife Jaspreet Kaur and Harjinder Singh, son of Surjit Singh, resident of Raikot Road Jagrao, in collusion with each other, for defrauding people and for fraudulently taken 2 crores and 50 lakhs in the name of sending people abroad and help us to get Justice.SD/- Jaskaran Singh."

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact the petitioner is a relative of complainant Jaskaran Singh. Both the complainant and the accused Manjit Singh were doing the business of travel agents in partnership. Because of a dispute between the two, the petitioner was asked to mediate. As he refused to do so he has been falsely implicated in the present case. It is a case wherein the petitioner has not received any money. As he is a first time offender, in custody since 12.01.2025 but only 02 of the 26 Pws have been examined so far, the trial of the present case is not likely to be concluded in near future. Therefore, he is entitled to the concession of bail as the case is triable by the Court of a Magistrate.

4. The learned State counsel on the other hand contends that the allegations against the petitioner are grave in as much as he and his co-accused have committed various acts of cheating with the complainant and others. Therefore, he is not entitled to the concession of bail. He however concedes that the petitioner is in custody since 12.01.2025, but only 02 of



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the 26 Pws have been examined so far and that the case is triable by the Court of a Magistrate.

5. I have heard the learned counsel for the parties.

6. This Court in the case *titled as Maninder Sharma Vs. State Tax Officer, State, Mobile Wing, Jalandhar, Punjab* bearing **CRM-M-24033-2021(O&M)** Decided on **31.08.2022** has held as under:-

“ Therefore, broadly speaking (subject to any statutory restrictions contained in Special Acts), in economic offences involving the IPC or Special Acts or cases triable by Magistrates once the investigation is complete, final report/complaint filed and the triple test is satisfied then denial of bail must be the exception rather than the rule. However, this would not prevent the Court from granting bail even prior to the completion of investigation if the facts so warrant.”

7. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated upon during the course of the trial. Admittedly, the petitioner is stated to be in custody since 12.01.2025 and only 02 of the 26 prosecution witnesses have been examined so far. Nothing significant has been pointed out by the State that the petitioner would abscond from the Trial, tamper with the evidence or influence the witnesses if he is granted the concession of regular bail. Therefore, his further incarceration is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Harjinder Singh** son of Surjit Singh is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform



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in writing each time that he is not involved in any other crime other than the present case.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 29, 2025
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>