



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

108

CRM-M-9723-2025

DATE OF DECISION: 19.02.2025

NEERAJ BHALLA

...PETITIONER

Versus

UT OF CHANDIGARH AND ANR ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gaurav Datta, Advocate
Ms. Srishti S. Sharma, Advocate and
Ms. Manisha, Advocate for the petitioner(s).

Mr. A.K. Sama, Advocate for the complainant.

Mr. Akashdeep Singh, Addl. PP, UT Chandigarh.

SANDEEP MOUDGIL, J (ORAL)**1. Relief Sought**

This petition has been filed under Section 482 of BNSS for grant of anticipatory bail in FIR No. 213 dated 20.12.2024 under Sections 409, 420 of IPC, 1860 and Section 24 of Immigration Act registered at P.S. Central Sector-17, District Chandigarh.

2. Prosecution story, set up in the present case as per the version in the FIR reads as under :-

‘Contents of first information report: To SSP Sahib Chandigarh Police Sub: Regarding conducting a satisfying inquiry in connection with application no. ICMS/2023/027561 dated 25/10/23. Sir, I request that in the above application, the



allegations made by me against Neeraj Bhalla My Visa Point Sec 22 Chandigarh, the inquiry officer, coming under the influence of Neeraj Bhalla, did not investigate the facts such as fake PT test which was conducted from Amritsar, getting the bank account opened from his office below, getting signatures on blank cheques or papers, taking money, its investigation, the company to which it was sent to England. Kindly investigate this whole matter seriously and GCO label officer should be put on duty so that we get justice. Thank you, your well-wisher Assem Jayia S/O Rajkumar R/O Vill Shekhran Wala Tehsil Jalalabad Distt Fazilka PB. Today a Complaint ICMS/2023/027561 dated- 25/10/2023 has been made by Aseem Jayia R/o Village Shekhran Wala Tehsil Jalalabad Distt Fazilka Cheating amount Rs. 25,00,000/-which was filed against Neeraj Bhalla and Others, My Visa Point, SCO No. 2433-34, 2ND floor Sector 22 C Chandigarh Mosul Police Station which was done on the said complaint after Enquiry and after that Legal opinion of DY.D.A(L), aSenior Officer filed a case U/S 409,420 IPC and Section 24 of Immigration Act against Neeraj Bhalla and Others, My Visa Point, SCO No. 2433-34, 2ND floor Sector 22 C Chandigarh. On order of senior officer case No. 213 Dt.20.12.2024 U/S 409,420 IPC and Section 24 of Immigration Act has been registered against Neeraj Bhalla and Others, My Visa Point, SCO No. 2433-34, 2ND floor Sector 22 C Chandigarh. After registering the case at police station, I am taking the original complaint along with the copy of FIR for investigation myself, along with ASI C. Kavir 3876/CP, to the area police station, UT Area.'

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present FIR. He submits that as per



the allegations, the petitioner has defrauded the complainant to the tune of Rs. 25 lakhs. He submits that the complainant has also moved complaints to SSP, Fazilka and DIG, NRI Wing, Punjab Police, SAS Nagar and both the complaints came to be filed after detailed enquiry at the finding that the petitioner has committed no fraud and rather the complainant had no evidence to support his allegations. He has placed reliance upon the report submitted by SSP, Ferozepur, ADGP, NRI, Wing, Punjab and SSP Chandigarh wherein now FIR has been lodged on the same set of allegations which was part of the earlier two investigation, one at Police Station EO Wing and the other investigation by SSP, Ferozepur.

Learned counsel for the petitioner undertakes that the petitioner is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from Investigating Officer candidly submits that all the complaints have been filed on the same set of allegations and that another complaint came to be filed which is being investigated and is not in a position to controvert the submissions made by counsel for the petitioner.

4. Analysis

Be that as it may, considering the fact that the petitioner was not found guilty in the enquiry conducted earlier but again the FIR has been registered on the same cause of action, consequently, without



commenting on the legality of the investigation being conducted merely for the reason that he should not be harassed which may tantamount to the double jeopardy as he is being interrogated time and again on the same set of allegations by different authorities, is admitted to anticipatory bail wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. **Relief**

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of 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 one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

19.02.2025
anuradha

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