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

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CRM-M-13112-2025
Date of decision: 10.03.2025

Sunil Verma .....Petitioner

Versus

State of Haryana .....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gagandeep Goel, Advocate for the petitioner.

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MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.0282 dated 03.08.2024 under Sections 120-B, 406, 420, 506 of the IPC, registered at Police Station Hisar Civil Lines.

2. Learned counsel for the petitioner contends that the present FIR, annexed as Annexure P-1, has been lodged after an inordinate and unexplained delay of five months. Furthermore, it is submitted that no notice under Section 41A of the Cr.P.C., was ever served upon the petitioner, thereby violating the mandatory procedural safeguards.

3. It is further submitted that the petitioner was merely a worker acting under the instructions of co-accused and had no independent role in the alleged financial transaction; the petitioner acted solely in compliance with the directives of his employer and, therefore, did not have any knowledge nor had any involvement in the transaction in question.

4. Additionally, learned counsel for the petitioner has submitted that sum of Rs.55 lakhs was never credited to the bank of the account petitioner but was instead deposited into the account of co-accused Deepak Bhojan. Regarding the allegations of Rs.6 lakhs in cash, it is submitted that the petitioner had neither received the said amount nor was he aware of said transaction, as he was not the direct beneficiary.

5. Notice of motion.

6. On asking of the Court, Mr. Ravish Kaushik, Addl. A.G., Haryana, accepts notice on behalf of the respondent-State.

7. Mr. Amit Choudhry, Advocate has entered appearance on behalf of the complainant.

8. Learned State counsel, assisted by learned counsel for the complainant, while opposing the prayer and submissions made by the counsel for the petitioner, has drawn the attention of this Court to the specific and direct allegations levelled against the petitioner in the FIR in question which stands reproduced hereinunder:-

> *"To The Senior Superintendent of Police, Hisar. Subject: Application for legal action against: 1.* ***Sunil Verma*** *son of Prithviraj Passport No. S4359203 2. Prithviraj resident of village Panchwai-2, Post Office Teenwai, Sri Ganganagar, Rajasthan Mobile No. 8209853291 3. Shiv Kumar Mobile No. 6378750937 4. Deepak Bhojan son of Bhojan Belle Gathdar resident of 7, Belmount Road Ferran Hill, Udhagamandalam The Nilgris, Tamil Nadu 643004 Passport No. Z5823015 Mobile No. 9600409380 Sir, the applicants make the following application: 1. That the applicant Sahebram village Salemgarh tehsil and district Hisar and applicant Akash Rana village outer district Karnal are permanent residents and are peace loving citizens who obey the law. 2. That the applicants lived in Singapore and it was there that the applicants met accused no. 1. After that the applicants returned to India*

and the above accused no. 1 also returned to India from Singapore. 3. That applicant no. 2 received messages from the above accused no. 1 that I work for getting work visas for the United Kingdom and I have links with my company there, if anyone needs to get a work visa, contact me. 4. That in this regard the applicants have also got an agreement written with accused no. 1 in the court premises, Hisar and this agreement was made in Hisar itself. 5. That the applicants have 6 boys/girls Sushil son of Bir Singh resident of village Bahari district Karnal, Arun Rana son of Harpal resident Yamuna Nagar, Sudeshna wife Ankit resident of village Bahari, Puja wife Saurav resident Kurukshetra, Shakti village Muana district Jind. When Sonu, resident of Ismailabad, talked to accused no. 1 for getting work visa for United Kingdom and Poland for 5 boys and girls Muskan, Monu, Sushil, Arjun, Mohit, accused no. 1 said that he would get the work done for them and for that they would have to pay Rs. 16,50,000 for United Kingdom work visa and Rs. 5,50,000 for Poland work visa. The accused took the applicants into confidence and the applicants, as per the terms and conditions, paid a total of Rs. 55 lakh for 11 work visas, out of which 6 were for United Kingdom and 5 for Poland work visas, and the applicants deposited a total of Rs. 55 lakh in the bank account of accused no. 4 at the behest of accused no. 1. The photocopy of the receipt is enclosed and the applicants had given Rs. 6,00,000/- in cash at Agrasen Colony, Hisar as per the instructions of accused no. 1. 6. That accused no. 1 and 4 said that your work will be done soon. After that the accused gave cos letters to Sushil and Pooja and as per the condition, Rs. 13 lakh each was given to accused no. 1 and 4. After that both of them had to pay Rs. 13 lakh each. The visa was also rejected. 7. That after that accused no. 1 and 4 gave cash letters to Sudeshna and Arun and their payment of Rs. 11 lakh each was made to the accused. But during checking, the code letters given by accused no. 1 and 4 were found to be fake. On which the applicants demanded their money back from accused no. 1 and 4, then accused no. 1 and 4 called the applicants to Coimbatore. On which the applicants, on calling accused no. 1 and 4, stayed in different hotels in Coimbatore on 08.02.2024 at their own expense. Accused Nos. 2, 3 and 4 met the applicants in the office of accused No. 4 and kept misleading the applicants by taking the name of 2-4 days and gave the applicants only one cheque no. 294989 of Rs. 10 lakh which was drawn in the account no. 310701011000503 Vijaya Bank Coimbatore of accused No. 4 was given in the name of Arun Rana on 15-02-2024 and the applicants stayed in Coimbatore for 20 days. After that on 21.02.2024, accused no. 2, 3 and 4 threatened the

> *applicants that we had to extort money from you by fraud, so we have extorted it, now we will not return any money to you, if you will see here again, we will kill you. After this, the applicants returned from there and on 25.02.2024 went to Sri Ganganagar, the house of accused no. 1. There, accused no. 2 and 3 met and threatened the applicants that we had told you that if you are seen, we will kill you. The accused said that you forget this money,* ***Sunil*** *and Bhojan Deepak's passports are ready, they will go abroad and we will not give you any money. 08. That the accused had given a cheque of Vijaya Bank, which has been merged with Bank of Baroda. When the applicants went to Bank of Baroda to deposit the said cheque, they found out that the cheque book had been cancelled and the cheque would not be deposited in the bank. The accused had given the above cheque to the applicants under a fraud. 9. That in this way the accused have cheated the applicants and extorted money from them and the accused are involved in extorting the money. The accused are threatening to kill the applicants. The applicants have faced a grave threat to their lives and property from the accused. Accused No. 1 and 4 are trying to flee abroad, therefore it is necessary and imperative to take legal action against the accused with immediate effect. Finally, by submitting the application, it is requested that legal action be taken against the accused with immediate effect and the passports of accused No. 1 and 4 be confiscated and the lives and property of the applicants be protected. Your kindness will be appreciated. Date 01/03/24 Sd Saheb ram 1. Applicant resident Saheb Ram son of Shri Bhagwan Das village Salemgarh tehsil district Hisar Mobile No. 9992187540 and Akash Rana 2. Akash Rana son of Shri Narendra Pal resident of village Baahari district Karnal Mobile No. 7494831062."*

9. It is contended that a huge amount of Rs.55 lakhs was directly transferred through online transactions into the bank account of the petitioner for the explicit purpose of procuring work visas for the United Kingdom and Poland. In support, learned State counsel and learned counsel for the complainant have placed on record the online transaction details which indicate the direct monetary link between the complainant and the petitioner.

10. Furthermore, learned State counsel has also referred to an agreement executed between the complainant and the petitioner, which purportedly pertains to the procurement of a work visa for the United Kingdom, thereby directly implicating the petitioner in the alleged offence.

11. Learned State counsel has vehemently prayed for the dismissal of the instant petition has the custodial interrogation of the petitioner is required in the present case to unravel the entire *modus operandi* of such unscrupulous travel agents etc. who have been fleecing innocent persons of their hard earned money on the pretext of sending them abroad.

12. I have heard learned counsel for the parties and perused the relevant material on record.

13. *Prima facie*, the allegations against the petitioner are both specific and serious in nature. The petitioner is alleged to have dishonestly induced the complainant into making huge payments under the false pretext of securing work visas.

14. A perusal of the material on record reveals that the complainant allegedly transferred Rs.55 lakhs via online transactions directly into the bank account of the petitioner. Additionally, a further sum of Rs.6 lakhs in cash is claimed to have been given to the petitioner for the same purpose. The financial trail, coupled with the documentary evidence placed on record, *prima facie*, points to the involvement of the petitioner in the alleged offence.

15. In the facts and circumstances as detailed hereinabove, this

Court does not find any cogent ground to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

16. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

10.03.2025 **(MANJARI NEHRU KAUL)**
Vinay **JUDGE**

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