



203

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

CRM-M-12569-2025

Date of decision: 05.04.2025

Sandip Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. B.S. Baath, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

This petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.0044 dated 03.05.2023 (Annexure P-1) under Section 420 of IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Dhariwal, District Gurdaspur.

On 06.03.2025, the following order was passed:-

'Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.44 dated 03.05.2023 under Section 420 of the Indian Penal Code, 1860 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Dhariwal, District Gurdaspur.

Learned counsel for the petitioner, inter alia, contends that in fact, the petitioner himself is the victim. The main accused namely Navjodh Singh took Rs.25.00 lakhs from the petitioner in the year 2018 for facilitating his visa of USA, however, the petitioner was only provided visa of Schengen States. When the petitioner was trying to enter USA from Mexico border, he was apprehended by the Department of Homeland, USA and after his detention, he was ultimately deported back on 21.09.2018, as discernible from Annexure P-2. Thereafter, the petitioner approached main accused Navjodh Singh and even filed a complaint against him before the ADGP, NRI Wing, Punjab. The main accused Navjodh Singh promised the petitioner to return his amount and told him that the complainant and one more person are desirous of procuring visa of USA and as and when, they would make the payment, that would be given to him against his outstanding dues. Learned counsel for the petitioner relies upon the bank statement (Annexure P-3) and submits that the amount of Rs.14.00 lakhs received from the complainant, has further been transferred to Omotenashai Tours and Travels on 04.09.2019, which is



CRM-M-12569-2025

-2-

being run by main accused Navjodh Singh. As such, complicity of the petitioner is not proved at all. Moreover, the maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 07 years. The petitioner is not involved in any other case.

Notice of motion for 05.04.2025.

*Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).*

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court. Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law. '

Learned State counsel on instructions from SI Surinder Pal Singh, at the very outset informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 06.03.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (earlier Section 438(2) Cr.P.C.).

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

05.04.2025

Neha

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