



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

202-1

CRM-M-15595-2024

Date of decision : 24.01.2024

Harpreet Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Gautam Dutt, Advocate and
Mr. Ribhav Singla, Advocate
for the petitioner.

Mr. Malkiat Singh, DAG, Punjab.

Mr. Sartaj S. Gill, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. (Section 483 of BNSS Act, 2023) for grant of regular bail to the petitioner in case bearing FIR No.0033 dated 18.05.2023, registered for the offences punishable under Sections 420, 406, 365 and 120-B of IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Bholath, District Kapurthala.

2. As per the contents of the FIR, it has been alleged as under:-

“Complaint No. 05-PGD dated 02-01-2023 To The Hon'ble Kapurthala SSP, Kapurthala. Subject: Harpreet Singh District Complaint against son of Jindu, Balwinder Kaur wife of Harpreet Singh, Shabnam daughter of Harpreet Singh, Sahil son of Harpreet Singh and Baljit Singh son Shiv Kumar residents of of Ajit Nagar Kapurthala for cheating and playing fraud by showing fake visa to send abroad and for registration of case. Dear Sir, I humbly request that I/We am/are Nishan Singh (Phone: 99153-98428) late son of



Ravel Singh, Joginder Singh son of Pyara Singh and others are residents of Village Akala, Tehsil Bhulath, District Kapurthala. That my bank account is at Axis Bank Bagdi Where I often come and go for my bank work. In March 2021, I met Harpreet Singh son of Jindu in the said bank and he told me that he has opened an office for IELTS and Touch-Clouds Travels at Bagri station and if any of your children or relatives intends to go to America for study or work permit abroad, then I can send it legally. I have contact with companies abroad. After that Harpreet Singh met me many times at its local office at Bagaria and he started coming and going to my house in village Akala. That on one day in March 2021 he came to our house. At that time, my uncle's son Sukhjinder Singh and his wife Mandeep Kaur were also present at our house for some work. On seeing them, Harpreet Singh said that he has received work permits for Canada. With which he started talking about this subject with my uncle's son and his wife. Harpreet Singh made a demand of Rs. 35,00,000/- for work permit visa to Canada for both of them and my uncle's son told him that we will go home and discuss and thereafter will inform. A few days later, Harpreet Singh demanded Rs. 20,00,000/- and three passports including the original passports of my uncle's son, his wife and his eight-year-old son, their photographs, Aadhaar card certificates which and other were given by me in front of my housewife Surjit Kaur who is the Vice Chairman of Block Samiti and Surinder Kumar, I paid Rs.20,00,000/- after withdrawing from PNB Bank Nadala to send my uncle's son and his family members to Canada and gave it to Harpreet Singh son of Jindu, his daughter Shabnam and wife Balwinder Kaur on 04-04-2021 at their house at village Akala, who took Rs.20,00,000/- on that day and within two months promised to get the visas made available by saying that your passport does not have any travel history and for this you have to organize a tour to a small country on which my uncle's son at a cost of Rs 3,00,000/- visited Dubai on a tour which was incurred by my uncle's son on his own. That after this, Harpreet Singh demanded Rs. 50,00,000 to send another relative of mine, Joginder Singh son of Pyara Singh, resident of village Akala whose grandson Harkirat Singh, to America, and Joginder Singh paid Rs.5,00,000 to Harpreet Singh in August 2022 in cash and gave his grandson's passport. After which on the demand from Harpreet Singh, Joginder Singh withdrew Rs 15,00,000/- in June 2021, Rs



20,00,000/- in October 2022 from his bank accounts (Kapurthala Co-Operative and UCO Bank Bhulath on different dates) and the rest of the money of Rs. 10,00,000/- was paid by Joginder Singh's daughter to Harpreet Singh in cash. That a photo copy of the bank statement is attached as evidence. That during this period this travel agent Harpreet Singh negotiated with another relative of mine, my nephew Karanveer son of Samsher Singh resident of Mukerian to send America through Mexico for an amount of Rs. 50,00,000/- and Rs. 15,00,000/- was given by my sister Kamaljit Kaur after withdrawing on 28 October 2022 from SBI Bank Alampur along with passport at my house at Village Akala and was given before me and my wife to Harpreet Singh and his wife Balwinder Kaur at my residence and Harpreet Singh's wife put this money in her purse and said that we will send him to Dubai within a month and thereafter we will arrange a flight for him to Mexico. When he sent my nephew to Dubai, he started demanding the rest of the money and I withdrew some amount from Capital Bank Bhulath on various dates out of which Rs.20,00,000/- was given in cash in the month of October 2022 but thereafter he started dillydallying us on one pretext or the other and started demanding amount full the transferred from my account on Rs.7,50,000/- Axis which I Bank Bagri dates different in first the week i.e. of December 2022 and the rest on 15 October 2022 was transferred to Baljit Singh who is the acquaintance of Harpreet Singh in his account and documents are attached as proof. After this, the agent said that your son will reach America within a week. But till today, he has neither sent any of our people to America, Canada, nor is it returning our money to us. This agent Harpreet Singh and his wife Balwinder Kaur and daughter Shabnam, son Sahil and one of his close associate Baljit Singh have defrauded us and our relatives to the tune of Rs. 1.5 Crores (One and Half Crore). In the meantime, we went to him along with the respectable of panchayat of our area, before whom he said that he would either return the amount in a few days or send these boys abroad. After this, whenever we call him, it does not answer the call at first instance, if he picks up the phone, he threatens us. It is our personal request that strict legal action be taken against this agent Harpreet Singh, his entire family and his close relative Baljit Singh and all our money be recovered from this fake agent to us. We shall be highly thankful to you .

xxxx”



3. Petitioner was granted interim bail in this case vide order dated 05.04.2024. There are specific events also that need to be taken note of which have been brought on record by reply filed by complainant. It has been claimed by the complainant that Harpreet Singh admitting his liability offered to part away with his residential house. The complainant was put in possession by the petitioner as an adjustment to his liabilities towards the complainant. The complainant was in possession of the property-a 16 marlas constructed house bearing No.1187 situated in Abadi of Urban Estate, PUDA, Kapurthala. However, later on, he resiled. He got the complainant booked for having trespassed over the suit property despite the fact that there was interim order passed in favour of the complainant by Civil Judge, Jr. Division dated 31.05.2023 (Annexure R-1).

4. In the considered opinion of this Court, the menace of allurements to the innocent people on the pretext of settling them abroad, needs to be checked. Here is a case wherein the allegation against the petitioner is of having duped family of complainant of more than 3.5 crores.

5. Keeping in view the nature of allegations and the manner in which the family was harassed in foreign lands of Dubai and Azerbaijan, this Court does not find any reason to grant concession of regular bail to the petitioner. Consequently, the present petition is dismissed.

(PANKAJ JAIN)
JUDGE

24.01.2025

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Whether speaking/reasoned : Yes

Whether Reportable : No