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

**CRM-M-14718-2025 (O&M)
Date of decision: 04.04.2025**

Ravinder Singh

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rajesh Bansal, Advocate
for the petitioner.

Ms. Geeta Sharma, DAG, Haryana.

Mr. Divyam Singh, Advocate
for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.14 dated 20.01.2025 under Sections 3(5), 316(2), 318(4) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Model Town Panipat, District Panipat.

2. Succinctly, the facts of the case are that FIR (*supra*) was registered on the statement made by the complainant, on the allegations that he has two

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sons; elder is Priyanshu aged about 21 years and younger is Mayank, aged about 14 years and his *bu*a was married in the village of the petitioner, due to which, he was known to him for many years. On 09.08.2024, study visa to Australia applied for his son Priyanshu was rejected and on 10.08.2024, he met the petitioner, who assured the complainant to send his son abroad on work visa. On 12.08.2024, the petitioner asked the complainant to pay Rs.33.00 lakhs to him in order to send his son to America and he would get a good job for him there. On 14.08.2024, the petitioner came to house of cousin of the complainant, namely Naresh Kumar, and took away Rs.7.00 lakhs in cash along with passport of his son. Thereafter, on asking of the petitioner, the complainant transferred certain amounts in his bank account. The petitioner visited house of the complainant on several times and demanded money, but when the complainant told him that he would not give more money until his son is sent abroad. On this, the petitioner refused to send son of the complainant, till making of full payment. Thereafter, the complainant asked to return back his money along with passport of his son, upon which, the petitioner threatened to kill him, if he would take any action. On 07.10.2024, the petitioner again refused to return the money and he cheated the complainant of Rs.10.00 lakhs.

3. Learned counsel for the petitioner, *inter alia*, contends that there is a delay of about 05 months in registration of FIR (*supra*). As per the case set up by the prosecution, the petitioner received Rs.7.00 lakhs along with passport

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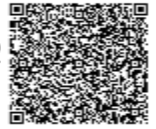


of son of the complainant to send him abroad. Learned counsel for the petitioner relies upon an application submitted by the complainant to his banker (Annexure P-4) and submits that the complainant himself admitted that he wrongly deposited the amount of Rs.3.00 lakhs in the bank account of co-accused through RTGS and requested to reverse the entry. Further, no inquiry was conducted by the police before registration of FIR (*supra*).

4. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the complainant withdrew Rs.6.00 lakhs from his bank account and paid the amount in question to the petitioner. Further, Rs.3.00 lakhs were also transferred through RTGS. Further, there is no delay in lodging the FIR (*supra*), as initially, the complaint was moved in October, 2024 itself and the parties tried to resolve the matter through mediation. On the last date of hearing, the petitioner submitted before this Court that he is ready to settle the dispute with the complainant, however, today, he made a U-turn and even passport of son of the complainant is still in possession of the petitioner. It is further submitted that advantage of desire of common man to earn his livelihood abroad is being taken by such fraudsters and human trafficking through illegal means is on the rise. As such, the petitioner does not deserve the concession of anticipatory bail.

5. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

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6. Keeping in view the facts and circumstances of the case and considering the allegations against the petitioner, this Court finds no ground to grant the concession of anticipatory bail to him. Accordingly, present petition is dismissed.

7. However, nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and learned trial Court shall decide the case on its own merits without being prejudiced by the observations of this Court.

[HARPREET SINGH BRAR]
JUDGE

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No