

CRM-M-20871-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20871-2025
Reserved on: 01.08.2025
Pronounced on: 18.08.2025

Charaninder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vipul Joshi, Advocate
for the petitioner.

Mr. Jasdev Thind, DAG, Punjab.

Mr. Jasbir Singh Dadwal, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
33	10.05.2023	City Morinda, District Rupnagar	406, 420 & 120 B IPC (Sections 467, 468, 471 & 472 IPC added later on) and Section 13 of Punjab Travel Professional (Regulation) Act 2014

1. The petitioner incarcerated in the FIR captioned above had come up before this Court under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS] r/w 439 CrPC, seeking regular bail.

2. In paragraph 21 of the bail petition as well as custody certificate dated 31.07.2025, the petitioner has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	124	24.08.2023	406/420 IPC and Section 13 of Punjab Travels Professionals Regulation Act 2014	Civil Lines, District Patiala, Punjab
2	57	16.03.2024	406/420/120B IPC	Tripuri, District Patiala, Punjab
3	90	2024	406, 420 IPC	Shambhu
4	111	02.08.2023	406, 420, 120B IPC	Civil Lines, Patiala, District Patiala, Punjab
5	195	12.06.2023	406, 420 IPC and 13 of	Tripuri Nabha, District

CRM-M-20871-2025

			Punjab Travel Professional Regulation Act 2012	Patiala, Punjab
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3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“...the factual matrix pertaining to present case is that, complaint bearing No.2626/SSP dated 16.09.2022, was moved by the Complainant-Gurpreet Singh son of Karam Singh, resident of village Boothgarh, PS City Morinda, District Rupnagar, wherein it was averred by the Complainant-Gurpreet Singh that in the month of July he was induced by the Petitioner-Charaninder Singh to deliver him Rs.66,00,000/- on the pretext of providing B1 B2 Visa of USA to him and RH4 Visa for his sister namely Hardeep Kaur and he transferred the aforementioned amount in the account of Petitioner-Charaninder Singh in 2-3 installments through his own account and from the accounts of his relatives. It was further averred by the Complainant-Gurpreet Singh that on 28.07.2021, Petitioner-Charaninder Singh sent photographs of his B1 B2 Visa and on 05.08.2021, Petitioner-Charaninder Singh sent RH4 visa of his sister-Hardeep Kaur on his whatsapp number and during this period Petitioner-Charaninder Singh also booked their (Complainant-Gurpreet Singh and his sister-Hardeep Kaur) tickets and got insurance cover for them, however, all these Visas, tickets and insurances were turned out to be forged and fabricated.

3. That it was further averred by the Complainant-Gurpreet Singh that later on Petitioner-Charaninder Singh admitted that he could not get visa for Complainant-Gurpreet Singh and his sister-Hardeep Kaur, therefore, he agreed to return the amount of Complainant-Gurpreet Singh and accordingly, on 19.05.2022, Petitioner-Charaninder Singh sent a Demand Draft No.230206 dated 19.05.2022 of Rs.66,00,000/- purportedly issued by Axis Bank, Branch Nehru Palace, New Delhi, to the Complainant-Gurpreet Singh, however, on presentation by the Complainant to the bank for encashment, it was found to be forged and when Complainant-Gurpreet Singh told about the same to Petitioner-Charaninder Singh, then he issued Cheque No.013476 and 013477 of Union Bank, Branch Patiala, in the names of complainant and his mother, however, on presentation in the bank, the same were returned by the Bank due to insufficient of funds in the account of the Petitioner-Charaninder Singh.

CRM-M-20871-2025

4. That it was further averred by the Complainant-Gurpreet Singh that thereafter Petitioner-Charaninder Singh issued Cheque No.095087 and 095088 of Canara Bank, Branch Patiala, in the names of Complainant-Gurpreet Singh and his sister-Hardeep Kaur, however, the same were also dishonored by the bank. Thereafter, on 01.06.2022, Petitioner-Charaninder Singh issued another cheque No.351374 dated 01.06.2022, of Rs.66,00,000/- of State Bank of India, Branch Patiala, from the account of his mother (Harsharan Kaur) in the name of Hardeep Kaur (sister of complainant), and same was also dishonored by the bank. The Complainant-Gurpreet Singh requested to take action against the Petitioner-Charaninder Singh and his mother-Harsharan Kaur in accordance with law.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. Counsel further submits that the petitioner would have no objection whatsoever to any stringent conditions that this Court may impose, including that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State may file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and may do so at their discretion, to which the petitioner shall have no objection.

5. The State's counsel opposes bail and refers to the reply.

6. Counsel for the complainant opposes the bail and also refer to Annexures R-1 to R-10 and prays for dismissal of the petition.

7. It would be appropriate to refer to the following portions of the reply, which read as follows:

“A. ROLE OF THE PETITIONER:

7. It is respectfully submitted that Petitioner-Charaninder Singh induced the Complainant-Gurpreet Singh and his sister-Hardeep Kaur to deliver Rs.66,00,000/-the pretext of getting them visas of USA and Petitioner-Charaninder Singh further induced Manpreet Kaur (another sister of complainant) to deliver Rs.4,50,000/- on the pretext of getting visitor visa of Canada to her. When Petitioner-Charaninder Singh failed to get them visas, as claimed by him, he issued forged and fabricated Demand Draft No.230206 dated 19.05.2022 of Rs.66,00,000/- purportedly issued by Axis Bank, Branch Nehru Palace, New Delhi, and when the same were declared by the bank, then Petitioner-Charaninder Singh issued cheques

CRM-M-20871-2025

of different banks from his account and one cheque from the account of her mother-Harsharan Kaur, however, all these cheques have been dishonoured by the respective banks. The Petitioner-Charaninder Singh has cheated the Complainant-Gurpreet Singh and his sister Hardeep Kaur for Rs.66,00,000/-.”

REASONING:

8. The petitioner has a massive criminal history of similar types of cases, as mentioned above. It also appears that he exploits people for money and grabbed a considerable amount of hard earned money from such gullible people, but this Court cannot also lose sight of the fact that, as per the custody certificate dated 28th of July 2025, petitioner's custody in the present case is for 02 years, 01 month and 19 days. Further, it is a case triable by a Judicial Magistrate. Thus, considering the massive time the petitioner has undergone in custody in this case, no further incarceration would be justified at this stage.
9. There is sufficient primafacie evidence connecting the petitioner with the alleged crime. However, pre-trial incarceration should not be a replica of post-conviction sentencing.
10. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.
11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.
12. While furnishing a personal bond, the petitioner shall mention the following personal identification details:
- | | | |
|----|--|--|
| 1. | AADHAR number | |
| 2. | Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk. | |
| 3. | Mobile number (If available) | |
| 4. | E-Mail id (If available) | |
13. This order is subject to the petitioner’s complying with the following terms.
14. The petitioner shall abide by all statutory bond conditions and appear before the concerned Court(s) on all dates. The petitioner shall not tamper with the evidence, influence, browbeat, pressurize, induce, threaten, or promise, directly or indirectly, any witnesses, Police officials, or any other person acquainted with the facts and circumstances of the case, or dissuade them from disclosing such facts to the Police or the

CRM-M-20871-2025

Court.

15. The significant consideration for granting bail is that the Court aims to give the petitioner another chance to course-correct, reform, and reintegrate into the community as an ideal citizen. To ensure that the petitioner also abides by the assurance made on the petitioner's behalf by not repeating the offence or indulging in any crime, it shall be desirable to impose the following additional condition.

16. This bail is conditional, with the foundational condition being that if the petitioner repeats the offense or commits any non-bailable offense which provides for a sentence of imprisonment for more than seven years, the State shall file an application to revoke this bail before the concerned Court having jurisdiction over this FIR, which shall have the authority to cancel this bail, and as per their discretion, they may cancel this bail.

17. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

18. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

19. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

18.08.2025
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Whether speaking/reasoned: Yes
Whether reportable: No.