



CRM-M-20069-2025

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

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CRM-M-20069-2025

Date of Decision.:09.04.2025

HARISH KUMAR**Petitioner****Vs.****STATE OF HARYANA****Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Abhijeet Chaudhary, Advocate for the petitioner.
Mr. Apoorv Garg, Sr. DAG, Haryana.

MANISHA BATRA, J. (ORAL)

1. The instant one is the second petition for grant of pre-arrest bail as filed by the petitioner in case arising out of FIR No.461 dated 24.10.2024 registered under Sections 406, 420 of the IPC, 1860 and Section 24 of Emigration Act, 1983 registered at Police Station Nissing, District Karnal, Haryana. His previous petition bearing No.CRM-M-3612-2025 had been dismissed as withdrawn vide order dated 17.02.2025.

2. The aforementioned FIR has been registered on the basis of complaint lodged by complainant -Khalsa Singh alleging therein that the petitioner and co-accused Harbhajan Singh had represented to them that they were engaged in the business of sending people abroad and could send his family to America. They had demanded a sum of ₹90,00,000/- for that purpose. On being induced by them, the petitioner had given cash amount of ₹55,00,000/- and had transferred amounts of ₹3,00,000/- and ₹7,50,000/- respectively in different bank accounts as per instructions of the petitioner and co-accused. However, instead of sending them to USA, the complainant and his family members were sent by the accused to South Africa and from there to



Turkey. Their passports were taken and it was with great difficulty that the complainant could come back home. He asked the petitioner and co-accused to give back his money but to no avail. Accordingly, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Previously also the complainant had filed two different complaints before the Home Minister and the Police authorities, Haryana and the same were duly inquired into but were filed. No evidence with regard to handing over of any amount of money by the complainant to the petitioner has been collected. The investigating agency has not been able to produce any material on record to show the connection of the petitioner with the subject offences. There is nothing to connect the petitioner with the allegations as levelled against him. He is ready to join the investigation. His custodial interrogation is not required neither any recovery is to be effected from him. Accordingly, it is urged that the petition deserves to be allowed.

4. Mr. Apoorv Garg, Sr. DAG, Haryana has advance notice of the petition and is ready to argue the matter. It is submitted that the previous petition filed by the petitioner had been dismissed as withdrawn after addressing arguments at length and on finding that this Court was not convinced with the same. No substantive change in the circumstances since the date of dismissal of that petition has been pointed out by the petitioner. Allegations against him are serious in nature. The complainant was induced to part with a huge amount of money by the petitioner on the pretext of sending his family members and himself to USA but they were sent to some other



countries by making a misrepresentation and by cheating the complainant. The matter requires thorough investigation. No extraordinary circumstance for grant of anticipatory bail has been made out in favour of the petitioner. It is therefore, argued that the petition does not deserve to be allowed.

5. This Court has heard rival submissions.

6. The petitioner along with the co-accused is alleged to have induced the complainant to part with a huge amount of money on the pretext of sending his family members and himself to USA and instead they were sent to South Africa and then to Turkey from where they could manage to come back at their own. There are serious and specific allegations against the petitioner. Filing of some inquiry previously conducted against the petitioner, cannot to be stated to be a ground to extend benefit of pre-arrest bail to him. The case is still at its nascent stage. A thorough and a deeper probe is required to be conducted in the matter. Keeping in view the nature of the allegations as levelled against the petitioner, the part played by him, the fact that the information as to the manner in which the offences had been committed has to be elicited from the petitioner coupled with the fact that there is no exceptional and extraordinary circumstance of such nature which may entitle the petitioner to seek concession of pre-arrest bail, this Court finds no reason to allow the petition. Accordingly, the same is hereby dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on merits of the case.

(MANISHA BATRA)
JUDGE

April 09, 2025
Jyoti-IV

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No