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

**CRM-M No.23298 of 2025
Date of Decision: 26.05.2025
Reserved on: 21.05.2025**

Gurmail Singh

... Petitioner

Versus

State of UT Chandigarh

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. A.K. Khunger, Advocate,
for the petitioner.

Mr. Manish Bansal, P.P., UT Chandigarh with
Ms. Diksha Sharma, Advocate,
for the respondent-UT Chandigarh.

Mr. Pushpinder Kaushal, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The instant one is the second petition filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in case arising out of FIR No.0139 dated 01.08.2024 registered under Sections 409, 420, 467, 468, 471 and 120-B of IPC at Police Station Central Sector 17, District Chandigarh. His previous petition had been dismissed as withdrawn vide order dated 20.11.2024.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was registered on the basis of a complaint lodged by

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the complainant Didar Singh alleging therein that he was interested to send his children abroad on study visa. He contacted the Immigration Company namely, M/s World Visa Advisors for this purpose. He was ensured that his children would be sent abroad and was made to part with a sum of Rs.22,80,600/- on different counts. This money was given by him in cash as well as through RTGS and cheques. However, no study visa was got issued by the abovesaid Immigration Company and even its office was closed. While alleging that one Malika who used to deal with him and the owners of the concern were liable for cheating him and committing fraud with him, he prayed for taking action. After registration of FIR, investigation proceedings were initiated. It was revealed during investigation that seven more complaints had been lodged by different persons against the abovesaid firm and an amount of Rs.95,12,465/- was extracted from the victims on the pretext of sending them abroad on student visas. It was also revealed that the petitioner was actively connected with the abovesaid firm and the offer letters which was handed over to the victims by him were fabricated and forged. He was nominated as an accused. He was found to be already in custody in another case bearing 135 dated 24.07.2024. His presence was secured by issuance of production warrants. He was joined into investigation and was formally arrested on 11.11.2024. Investigation has since been concluded.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is alleged to be owner of “M/s Headquarter of Immigration Services, Patiala” but the same is owned by

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Ranjit Singh and he is simply an employee of the abovesaid Immigration services. Neither any amount of money was transferred in his account nor it was paid to him. The petitioner never met the complainant nor he knew him. No case for commission of subject offences has been made out against him. He has been extended benefit of regular bail in case bearing FIR No.135. Trial is likely to take time. The subject offences are triable by Magistrate. His further incarceration is of no useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed. Learned Public Prosecutor, UT, Chandigarh assisted by learned counsel for the complainant has vehemently argued that there are serious allegations against the petitioner who was actively connected with M/s World Visa Advisors. Seven more complaints have been filed levelling specific allegations against the petitioner. He has duped innocent persons of an amount of approximately Rs.95,12,465/-. The money deposited in the bank account of “M/s World Visa Advisors” was subsequently transferred to the account of Ranjit Singh who is absconding. Record qua monetary transactions from the account of the abovesaid Ranjit Singh into the account of the present petitioner has been collected during investigation which establishes a direct financial link between the petitioner and the co-accused. There are chances of petitioner’s absconding or intimidating the witnesses if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner is alleged to have colluded with the accused in

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pursuance whereof the complainant was duped of a sum of Rs.22,80,600/- on the pretext of sending his children abroad on study visa. He is alleged to be connected with the case on the ground that there were some money transactions between Ranjit Singh, proprietor of M/s Headquarter of Immigration Services, Patiala who is absconding and in whose account, there were transfers from the account of M/s World Visa Advisors who had duped the complainant. The petitioner is in custody since 11.11.2024 i.e. a period of more than six months. The subject offences are triable by Magistrate. His further incarceration would not serve any useful purpose. In view of the discussion as made above, the petition is allowed and the petitioner is ordered to be admitted to bail subject to his furnishing personal bonds as well as surety bonds by two sureties to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned. His release on bail shall further be subject to following conditions:

- (i) He shall mark his presence before the SHO of the police station concerned **at 11:00 AM** on first Monday of every month till conclusion of trial;
- (ii) He shall not directly or indirectly make any inducement, threat or promise to any person/witness acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.
- (iii) He shall disclose his present as well as permanent address before the learned trial Court at the time of furnishing of bonds and shall also give copy of his Aadhar Card, PAN Card if any and details of his mobile phone number(s) to the

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learned trial Court and in case, any change in his address or mobile phone number takes place, then he shall inform about the same to the learned trial Court in advance.

(iv) He shall deposit his passport if any, with the learned trial Court.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

26.05.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No