

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30454-2025
Reserved on: 09.07.2025
Pronounced on: 29.07.2025

Amandeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Gurdarshan Singh, Advocate,
for the petitioner.

Ms. Trishanjali Sharma, DAG, Haryana.

Mr. Hritik Gupta, Advocate,
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
300	29.06.2024	Civil Lines, Sirsa, District Sirsa	506, 420, 406, 120-B IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 14 of the bail petition, the accused declares that he has no criminal antecedents.
3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“2. That the present FIR No.300 dated 29.6.2024 under section 420/406/506/120-B IPC registered with Police Station Civil Line, Sirsa on the complainant of victim-Neetu Mehta wife of Sumit Bhandari. Translated copy of the FIR is already attached as Annexure P-1, therefore the facts are not being repeated for the sake of brevity.

3. That as per the detailed facts, total amount of Rs.21.35 lacs had already paid by the complainant through her husband and through her relative Varun (detail furnished in the FIR). Said amounts were transferred in the account of Accused firm (M/s Hey Visa Immigration) and Rs.100,000/- were paid in cash for opening of account. It is submitted that Accused firm M/s Hey Visa Immigration maintains Account no.325605xxxx and the present petitioner/Amandeep Singh son of Gurmail Singh & Akashpreet Singh son of Balvir Singh are the joint holders of the said Account, which opened in the name of firm M/s Hey Visa Immigration and they have represented themselves as partners of the said firm (M/s Hey Visa

Immigration).

4. That the office of accused firm is situated at SCO No.60-61-62, 3rd Floor, Sector 17-C, Chandigarh. Said premises is owned by Atul Kumar and Vishal Aggarwal and accused have taken the said premises on Lease. Copy of the Lease Agreement was taken into possession by the police & statement of the owners (Atul Kumar and Vishal Aggarwal) were recorded. Said lease agreement also bears the signature of the present petitioner and his partner Vishal Aggarwal. As such name of the petitioner is specifically mentioned in the FIR.

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and his family.

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

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

"16. That as such the petitioner is very much involved in the commission of crime and he also earned the wrongful gains by way of cheating upon the complainant & her husband. In order to recover the amount earned, original blank signed cheque book of complainant, recovery of the computer device through which the forged documents were prepared, and also to unearth the truth, to recover the source/device used for fabrication of the record of offer letter and also the other material record of the accused firm which are in possession of the petitioner, custodial interrogation of the petitioner is required. However, as per record, petitioner is not found involved in any other case."

7. The counsel for the complainant submits that the complainant has no objection, if the bail petition of the petitioner is allowed.

REASONING:

8. Given the no objection of the complainant, the petitioner is entitled to bail. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

9. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage. 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.

10. The petitioner's bail shall not be treated as a precedent for granting bail to the other co-accused.

11. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/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 is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

15. 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 Court.

16. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

17. This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall be at liberty to cancel this bail.

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

19. 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.

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

(ANOOP CHITKARA)
JUDGE

29.07.2025
Jyoti-II

Whether speaking/reasoned:	Yes
Whether reportable:	No.