



S. No.213

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

CRM-M-31197 of 2025

Date of Decision:03.11.2025.

Amit Kumar Pabbi

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present:- Mr. Varinder Kumar, Advocate for the petitioner.
Mr. Gaurav Kathuria, DAG, Punjab.
Mr. Akshay Chadha, Advocate for the complainant.

Yashvir Singh Rathor, J. (Oral)

1. This is second petition filed under Section 438 Cr.P.C/482 of BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.173 dated 09.09.2022 registered under Sections 406, 420, 506 and 120-B IPC (later on deleted Section 24 of Immigration Act) at Police Station Dakha, District Ludhiana.

2. The brief facts of the present case are that complainant Kulwant Singh s/o Mota Singh r/o H.No.1/244 College Road, Mandi Mullanpur Dakha District Ludhiana submitted one application to SSP Ludhiana (Rural) against the petitioner and one more person. This application was numbered as 1085-PC-1 dated 28.04.2022. He stated that he has one son namely Gursharan Singh and his son is married to Ratinder Kaur. They both are unemployed and they could not get any job. He decided to send both of them abroad. He contacted petitioner Amit Pabbi in this connection. Said Amit Pabbi told the complainant that he is doing profession of Accountant and C.A. His wife Seema Pabbi is educated lady



and doing work with him. Petitioner Amit Pabbi told the complainant that he and his wife also send people abroad and running a travel agency. They told him that they will send his children to Canada within a short period. The petitioner demanded amount of Rs.70 lakhs from the complainant for sending his both children to Canada. In the month of January, 2020, Amit Pabbi and his wife Seema Pabbi came to his house and on their demand, he make payment of Rs.20 lakhs to them and also handed over requisite documents. In the month of February, 2020, the petitioner along with his wife came to his house and on their demand, he again paid Rs.20 lakhs to them in presence of Surinder Pal Singh. In the month of March, 2022, petitioner along with his wife again came to his house and told that their work has been done and file has been cleared. On their demand, the complainant again paid Rs.10 lakhs to them in the presence of Ravinder Kumar but the petitioner Amit Pabbi returned the passports and other documents to the complainant by post. On checking of passports, it was found that no visa has been issued to his children. On 19.04.2022, the complainant along with his friend Harpreet Singh contacted the petitioner and his wife in their office and asked them as to why visa has not been sanctioned on which the petitioner and his wife told the complainant that he may do whatever he likes. The petitioner and his wife threatened him not to visit again in their office and insulted the complainant in the presence of his staff and gunman and pushed him out of his office. The complainant requested the SSP Ludhiana (Rural) that the petitioner and his wife has committed fraud with him and FIR may be registered against them. The SSP Ludhiana (Rural) marked this application to DSP Dakha for enquiry. DSP Dakha conducted enquiry and submitted his enquiry report on



02.07.2022 to SSP Ludhiana (Rural). The enquiry report reveals that the petitioner and his wife have committed fraud of Rs.50 lakhs with complainant Kulwant Singh. The petitioner neither sent his children to Canada nor returned his amount and the DSP recommended to register FIR against the petitioner and his wife. The SSP Ludhiana (Rural) raised some objections on this enquiry report to the DSP Dakha. The DSP Dakha removed the objections and sent the case to the SSP Ludhiana (Rural) again. The SSP Ludhiana (Rural) marked this enquiry report to SP (Det.) Ludhiana (Rural) for his comments. In compliance with these orders, the SP(1) Ludhiana (Rural) submitted his comments and recommended to register FIR as per recommendations of DSP Dakha vide his report dated 06.09.2022. The SSP Ludhiana (Rural) approved the enquiry report and passed orders for registration of FIR against the petitioner and his wife. In compliance with these orders, FIR No.173 dated 09.09.2022 under Sections 406/420/506/120-B IPC and under Section 24 of Immigraton Act has been registered in P.S. Dakha against both the petitioners.

3. I have heard learned counsel for the parties and perused the material placed on record.

4. Vide order dated 18.05.2024, first bail application for anticipatory bail moved by the petitioner was rejected by a co-ordinate Bench of this Court. Thereafter, petitioner has moved the present second bail application and vide order dated 02.06.2025, it was ordered that the Investigating Officer shall not take coercive steps against him subject to payment of Rs.10 lakhs by the petitioner to the complainant before the adjourned date. He shall pay Rs.25 lakhs in all within five months which includes a sum of Rs.5 lakhs to be paid within ten days and



another sum of Rs.5 lakhs to be paid before the adjourned date and following order was passed on 02.06.2025 by a co-ordinate Bench of this Court:-

“The petitioner through instant petition under Section 438 Cr.P.C. and new Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 is seeking anticipatory bail in FIR No.173 dated 09.09.2022 under Sections 406, 420, 506 and 120-B of IPC (Section 24 of Immigration Act deleted later on), registered at Police Station Dakha, District Ludhiana (Annexure P-1).

Learned counsel for the petitioner *inter alia* contends that there was compromise between the parties and as per said compromise the petitioner had to pay Rs. 37,00,000/- to complainant. He has already paid a sum of Rs. 11,50,000/- and balance amount would be paid in five equal instalments in next five months. To show his *bona fide*, he would pay Rs. 5,00,000/- within ten days from today.

Vakalatnama filed by Mr. Akshay Chadha, Advocate on behalf of the complainant is taken on record. Registry is directed to tag the same at appropriate place.

Counsel for the complainant submits that petitioner makes promises but does not honour and there are all possibilities that at this occasion also he may not honour.

Faced with this, counsel for the petitioner submits that if petitioner does not pay a sum of Rs. 10,00,000/- before the adjourned date, by way of demand draft, his bail application may be dismissed.

Adjourned to 12.08.2025.



The petitioner shall pay a sum of Rs. 25,00,000/- to complainant within five months. A sum of Rs. 5,00,000/- shall be paid within ten days from today and another sum of Rs. 5,00,000/- shall be paid before the adjourned date. If the petitioner pays a sum of Rs. 5,00,000/- within ten days from today, the Investigating Officer shall not take coercive steps against him.”

5. As per settlement arrived at between the parties, petitioner had agreed to pay Rs.37,00,000/- to the complainant out of which he has paid Rs.11,50,000/- and balance amount was agreed to be paid in five equal instalments but the Court directed him to pay Rs.25 lakhs as per schedule mentioned in the order dated 02.06.2025. However, petitioner has paid only Rs.5 lakhs and payment of Rs.20 lakhs has not been made despite expiry of three months which he agreed to pay. No order was passed granting him ad interim anticipatory bail and it was ordered that no coercive steps shall be taken against him in case he deposits the amount. The first application for anticipatory bail has already been rejected vide order dated 18.05.2024. No new circumstances have thus come into existence, on the basis of which, the second application could be entertained and same being not maintainable, is ordered to be dismissed.

(Yashvir Singh Rathor)
Judge

November 03, 2025
renu

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