

2025.PHHC:076451



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

**CRM-M-32900-2025
DECIDED ON: 20.06.2025**

BALRAJ SINGH**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Kshitiz Goel, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)**1. Prayer**

The jurisdiction of this Court has been invoked under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in FIR No.47 dated 01.05.2025, under Section 318(4) and 61(2) of BNS 2023, registered at Police Station Jaito, District Faridkot, in the interest of justice.

2. Prosecution story setup in the present case as per the version in the FIR as under:-

“To Hon'ble SSP Sahib, Faridkot Subject: Application regarding taking money in the name of sending abroad, not returning money, giving fake visa and mental harassment and cheating by giving fake visa and making purchases. Against 1. Sukhpreet Singh son of Balraj Singh (Mob no-95172-11788) 2. Lovepreet Singh son of Balraj Singh (Mob no. 85570-17413) 3. Karamjit Kaur wife of Balraj Singh (Mob no. 94176-11788) 4. Balraj Singh son of Bakhtaur Singh Vasian Village Bhullar Teh District Sri Muktsar

Sahib 5. Bank Manager Bikram Kamboj ICICI Bank Near Madan Hotel Sri Muktsar Sahib Mob no. 94781-05011 Sir, I request that I am Kuldeep Singh son of Jalandhar Singh resident of village Dhapai Tehsil Jaito district Faridkot. After completion of the study, I thought of sending my son Arshdeep Singh to abroad as he was unable to find work. I met with Lakhvir Singh son of Nirmal Singh, resident of Khirkiya Wala, with whom I often used to share my family's stories. The said Lakhvir Singh made me meet with Sukhpreet Singh etc. about sending my son out. The said Lakhvir Singh said that Sukhpreet Singh etc. are near and dear to me who have their office at New Fly Way 30 Foot Road Sri Muktsar Sahib. That 1. Sukhpreet Singh etc. persons used to work in their office at New Chalai Way 30 Foot Road Sri Muktsar Sahib. Lakhvir Singh took me to his office in Sri Muktsar Sahib. Where I had a conversation with Sukhpreet Singh about filing my son's file. In the office, he took two and a half lakh rupees from my side. Later I deposited Rs.10 lakh in their account through RTGS and Rs.1 lakh through phone pay in the account of Sukhpreet Singh. Sukhpreet Singh and Balraj Singh took 3 lakh rupees at my house for the first time and 3 lakh rupees the second time hence a total of 6 lakh rupees at my house. Sukhpreet Singh in connivance with the bank, took a loan in my name from ICIC Bank near Madan Hotel Sri Muktsar Sahib and withdrew money without informing me. Then later he started taking money from me through phone pay. The statement of transactions is attached with the application. Sukhpreet Singh etc took a total of 23 lakh 77 thousand rupees in connection with my son's visa and the loan they had taken in my name, I have to pay the interest also. 2. On 21.05.2024, Sukhpreet Singh etc gave me one approved Visa and came to Kotakpure and took my son Arshdeep Singh shopping and the said Sukhpreet Singh told me that I should call my relatives. Sukhpreet Singh came to my house and cut cake etc. 3. In June 2024, he gave me ticket and told me that my son Arshdeep Singh's date of flight is 07-08-07-2024 in the morning at 2 o'clock. Regarding which he said that I will go to Delhi and see off Arshdeep Singh on plane. But when we asked about going to Delhi, he said that the terminal has collapsed due to heavy rainfall. Due to which his flight has been delayed 4. On 08.07.2024 in the morning when I tried to contact Sukhpreet Singh, he did not pick up our phone, then I and my wife went to Sukhpreet Singh's house in village Bhullar. He did not give us any proper answer. 5. Sukhpreet Singh and the other persons which are mentioned

above, have cheated us by giving us fake visa. None of my money was returned by them. Whenever I talk about money, no one gave me a satisfactory answer and threatens to kill me. I have the proof of all the money given to him and the photos of the cake cutting at my house. Copy of fake visa issued by him, and statement of account number 50100526085281 from HDFC Bank and all other proofs are attached with the application. 6. Sukhpreet Singh had given me two checks of Rs.10/10 lakh and one check of Rs.2.5 lakh from others which I deposited in the bank for transfer to my account for honoring. All three of them bounced due to lack of money in their bank account. Case regarding these cheques have been filed separately in the court. Please all persons as per the said application has cheated me by giving fake Visa to my son Arshdeep Singh and also cheated me by giving checks of accounts which have no money in the account. Me and my family have been mentally disturbed. Due to which my son is also on medicine. Proper action should be taken against above cheating people. Justice be done. You will be very kind. Complainant Kuldeep Singh son of Jalandhar Singh resident of village Dhepai Mob No 79731-31743-SD/ Kuldeep Singh, Arshdeep Singh son of Kuldeep Singh, resident of Dhapai, - Sd/-Arshdeep Singh, 1242-PGD/25 dated 07.04.2025 SHO Jaito to verify & Ensure n/a Sr. Supdt. Of Police FARIDKOT, xxxXXXX”

3. **Contention**

On behalf of the petitioner

At the outset, learned counsel for the petitioner submits that he is ready and willing to settled the matter with the complainant by making good of the amount due against him and on that account he undertakes before this Court that he will bring a demand draft of Rs.6 lacs in favour of the complainant within a period of one week from today either through RTGS or demand draft in the bank account of the complainant. The bank account details of the complainant are as under:-

Name: Kuldeep Singh, Account No. 50100550659085, IFSC Code:HDFC0000648, Branch Code: 648-HDFC Bank, Mobile Number: 79731-31743

Notice of motion.

On behalf of the State/complainant

On the asking of Court, Mr. Jasjit Singh Rattu, DAG Punjab, accepts notice on behalf of respondent/State. He prays for dismissal of the present petition stating that Rs.23,77,000/- is involved and petitioner and his son both are equally responsible for the commission of the offence. He submits that custodial interrogation of the petitioner is necessary to facilitate recovery of the said amount.

Mr. Robindeep Singh Bhullar, Advocate has put in appearance on behalf of the complainant and submits that in case the petitioner adheres to the aforesaid undertaking, he has no objection for accepting the present petition.

4. Analysis

Be that as it may, having given a considerable thought to the submissions made hereinabove especially the fact that the petitioner has given an undertaking before this Court to return the amount as pointed out by the counsel for the complainant qua the petitioner alone to the tune of Rs.6 lacs within a period of one week either by way of demand draft or through RTGS, the question of custodial interrogation would not arise.

In the light of above, this Court is of the considered view that there is no valid or cogent reason to deny the bail to the present petitioner, wherein he has *bona fide* intentions and is ready and willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

5. Relief:-

Hence, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his

satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’

However, it is made clear that the aforesaid concession of anticipatory bail granted by this Court in the instant petition would be subject to repayment of Rs.6 lacs in favour of the complainant namely Kuldeep Singh within the stipulated period as undertaken before this Court i.e., one week or by 27.06.2025.

In case, the aforesaid undertaking is not adhered to, the anticipatory bail granted to the petitioner would automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
JUDGE

20.06.2025

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>