



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

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**CRM-M No.34242 of 2025
Date of decision : 15.7.2025**

Sarabjit Singh Sandhu

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sahil Nain, Advocate, for the petitioner
Mr. Deepak Grewal, DAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.226 dated 18.7.2024, under Sections 406, 420 of the IPC, registered at Police Station Sector 13-17, Panipat.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'On 28.03.2024 a complaint no. 570 peshi dated 15.03.2024 has been received in the police station to SP Panipat. The contents of the same are as follows: To the SP, Panipat Subject: Commission of 420 in human trafficking, Sir, I Vinit Kumar s/o Rajender, R/o village Garhi Chhajju, Tehsil Samalkha. I have given Rs 21 Lacs to my real aunt (Bua) Santosh W/o Satbir Son of Ram Bhaj, R/o house no. 428 Yamuna Enclave Colony, Panipat and her son Pardeep and his wife reside in Australia, Sandeep son of my aunt (Bua) reside in Panipat and beside them Parveen Phaphrana and his companion; I gave 21 lacs and out of that money, an amount of Rs 5 lacs to Santosh Aunt (Bua), Rs 2 lacs to Sandeep son of his



aunt (bua), Rs 2 Lacs to Rinku and remaining amount of Rs 12 Lacs to Pardeep and his uncle Satbir through cheque and in cash. Sandeep and Pardeep son of my aunt and Parveen Phaphrana gave him fake passport and fake visa and now, neither they are returning my money nor sending me to abroad. Therefore, I am praying that my house is in bad condition as I have given money to them by selling my total land measuring 3- 3/4 bighas, strict legal action may kindly be taken against the above said accused. SD/- Vinit S/o Rajender, R/o village Garhi Chhajju, Tehsil Samalkha, District Panipat. Mobile 9991011143 and on 16.04.2024 another application bearing no. 884 Peshi dated 16.04.2024 was received in Police station, to the SP Panipat, subject: cheating of Rs 21 lacs for sending abroad. Respected sir I Vinit Kumar S/o Shri Rajender caste Jat submitted a complaint on 1 March 2024 regarding commission of fraud on the pretext of sending abroad. In which no action was taken by police station Sector 13-17, Panipat. I am requesting you to take action. SD/ Vinit Singh DT. 16.04.2024 MO 9991011143. The inquiry report of the same is as mentioned; Police Station 13/17. The inquiry report relating to the application no 570- Peshi dated 15.03.2024 and no. 844-Peshi dated 16.04.2024 is that the preliminary enquiry on the allegation made in complaint by Vinit Son of Rajender, Resident of Garhi Chhajju, Police Station Samalkha District Panipat for sending abroad against Santosh, Satbir, Parveen, Sandeep, Rinku has been completed. Details of the investigation report regarding the progress report of the complaint in respect of complaint no. 570 Peshi dated 15.03.2024 and 844-Peshi dated 16.04.2024 is requested that the complaint was re-investigated by the PSI/SHO. It was found that complainant Vinit son of Rajender, resident of Village Garhi Chhajju, P.S. Samalkha, District Panipat has made allegations regarding fraud of Rs.21 lacs on the pretext of sending him Canada upon his real aunt (bua) Santosh wife of Satbir resident of Yamuna Enclave, Panipat, Sandeep son of Satbir resident of Yamuna Enclave, Panipat, Rupinder Kajla alias Rinku son of Mahabir, resident of house no 1624, Sector 32, Karnal, Parveen son of Tejender, resident of Phaphrana, Karnal, Pardeep son of Satbir, resident of Yamuna Enclave Panipat. During inquiry, the complainant and opponents were joined in the inquiry and during inquiry, it was found that Rupinder Kajla alias Rinku and Parveen used to give work of sending the persons abroad to Sarabjit Sandhu, resident of 201, Sector 82-A Aerocity Mohali and village



Takkapur Sanpu farm House, Mehta Chowk, District Amritsar, Punjab. The complainant Vinit got deposited an amount of Rs 3 lacs in the bank account of Sarabjit Sandhu bearing A/c No. 134101509693 and Sandeep son of Satbir, resident of Yamuna Enclave, Panipat got deposited an amount of Rs 5 lacs in the bank account of Sarabjit Sandhu for sending abroad. Rupinder Kajal alias Rinku got lodged a case bearing FIR No. 565 dated 10.10.2023, under section 406, 420, 467, 468, 471, 506 IPC in Police Station Sector 32-33, Karnal against the above said Sarabjit Sandhu for committing Fraud on the pretext of sending abroad. The Parveen and Rupinder Kajla alias Rinku got recorded their statements that Pardeep son of Satbir Resident of Yamuna Enclave, Panipat had establish an office under the name and style of RR Overseas in Jind. That Parveen and Rupinder Kajla alias Rinku were introduced through Pardeep only. Pardeep asked Parveen and Rupinder Kajla alias Rinku that the son of his maternal uncle namely vinit is to be sent abroad. In this regard, accordingly to Parveen and Rupinder Kajla alias Rinku, he has talked about sending abroad. On this, as per asking of Parveen and Rupinder, Vinit has got deposited an amount of Rs. 5 Lacs in the bank account of his uncle (Phupha) Satbir son of Ram Bhajman and Uncle (Phupha) of Vinit got deposited an amount of Rs 5 lacs in the bank account of Sarabjit Sandhu on the asking of vinit, Satbir son of Ram Bhajman and Vinit himself got deposited through cheque an amount of Rs. 3 lacs in the bank account of Sarabjit and then an amount of Rs. 2.5 lacs came back in the bank account of the mother of Vinit, namely, Shahsi. In the inquiry, it was also found that the talk for sending Vinit to Abroad was made by Pardeep through Parveen and Rupinder alias Rinku and Rupinder and Parveen has given money to Sarabjit for sending Vinit to abroad and on the asking of Rupinder and Parveen, Vinit got deposited an amount of Rs 3 lacs and 5 lacs in the bank account of Sarabjit. Sarabjit by committing fraud with Rupinder, Parveen and Vinit has grabbed the money. Thus, Sarabjit Sandhu, resident of House No. 201, sector 82A Aerocity Moahli and Village Takkapur Sanpu Farm House, Mehta Chowk District Amritsar, Punjab has been found to have committed fraud. Therefore, it is requested to register a case under section 406, 420 of IPC against Sarabjit Sandhu. Therefore after inquiry report a case bearing FIR no. 226 dated 18.07.2024, under sections 406, 420 IPC was registered in Police Station, Sector 13-17, Panipat.'



3. Learned counsel for the petitioner has argued that the petitioner is in custody since 22.8.2024. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further argued that the petitioner is primarily in the avocation of representing people with VISA/passport processing. Learned counsel for the petitioner has further submitted that the challan presented by the prosecution does not have sufficient material/evidence so as to warrant conviction of the petitioner. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 14.7.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested by way of production warrants, in the FIR in question on 22.8.2024. Investigation in the case was completed and challan was presented on 4.12.2024. Total 13 prosecution witnesses have been cited but none has been examined till date. The rival contentions raised at Bar give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of



justice or interfering with the prosecution evidence.

6.1 As per custody certificate dated 14.7.2025 filed by learned State counsel, it is not in dispute that the petitioner is in continuous custody since 22.8.2024. Further, the petitioner is stated to be involved in 27 other FIRs of similar nature. Indubitably, the antecedents of a person are required to be accounted for while considering a regular bail petition preferred by him. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in *Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586*; a Division Bench judgment of the Hon'ble Calcutta High Court in case of *Sridhar Das v. State, 1998 (2) RCR (Criminal) 477* & judgments of this Court in *CRM-M No.38822-2022* titled as *Akhilesh Singh v. State of Haryana*, decided on 29.11.2021, and *Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191*.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned



CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

15.7.2025
Ashwani

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No