



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

CRM-M-38139-2024

Date of Decision:15.05.2025

Sarabjit Singh

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Vipul Jindal, Advocate
for the petitioner.

Mr. I.P.S Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 439 Cr.PC with a prayer to grant regular bail to him in case FIR No. 448, dated 15.11.2023, registered under Sections 420,406,120-B of IPC, 465,467,468,471 of IPC added later on and under Section 24 of Immigration Act, Police Station Sohana, District SAS Nagar (Annexure P-1).
2. The FIR in the present case was registered on the basis of the complaint moved by Vatanpreet Singh son of Gurtej Singh and the same has been reproduced below:-

*"To, Hon'ble SSP Sahib, SAS Nagar Mohali, Punjab,
Subject: Regarding complaint against Sarabjit Singh Sandhu
(Mob. No. 8725900900) R/o in front of Amity University, Sector
82, SAS Nagar, Mohali and Ravinderpal Singh Deol (Mob. No.
7009062965) resident of House No. 798, Sector 91, SAS Nagar
Mohali for defrauding the applicant to the tune of Rs.1,82,60,000/-
(One Crore Sixty Thousand Rupees). Respected Sir, it is requested
that I Vatanpreet Singh son of Gurtej Singh, resident of Village*

Saideke, Tehsil and District Faridkot, currently residing at, Flat no.1201, Regency Heights, Sector 91. SAS Nagar, stated as follows: That I am a resident of the above address. 2. I came to Mohali in year 2022 for pursuing my M.A. 3. That I met Sarabjit Singh Sandhu in February 2023 through Ravinder Pal Singh alias Ravi and who is the partner of Sarabjit Singh Sandhu and known to me. 4. That Sarabjit Singh Sandhu said we do the work of getting Study and Tourist visa and I asked them to apply Canadian visitor visa for my acquaintance Gurdev Singh and his family and I deposited Rs.10 lakhs in Sarabjit Singh Sandhu's account no.134101509693 in ICICI Bank through Transfer on 10.04.2023 and gave Rs.20 lakhs in cash to Sarabjit Singh Sandhu in front of Ravinderpal Singh alias Ravi at his house at Sector 80 and the above accused said that your visa will come in 4 months. 5. That to send my another acquaintance, Vishal son Baldev Raj resident of Jalalabad to Australia on study Visa transferred Rs. 11 lakhs to the above account number of Sarabjit Singh Sandhu on 14.03.2023 and the above accused said that your visa will come in 3 months'. 6. That I trusting the above accused to send one of my acquaintance Khushdeep Singh resident of Faridkot to Australia on study Visa had transferred Rs.11 lakh in the above account number of Sarabjit Singh Sandhu on 13.03.2023 and the above said accused said that your Visa will come in four months. 7. That I offered another acquaintance of mine, Deep Kamal, resident of Faridkot, on study Visa for Australia had transferred Rs. 11 lakh on the asking of Sarabjit Singh Sandhu in the account no. 2116101065705 of Union Bank on 13.03.2023 of GB Immigration, Rajpura. 8. That partner of the above Sarabjit Singh namely Ravinderpal Singh alias Ravi Deol account no. 500202010012039, Union Bank and in account no. 016301011976 of ICICI Bank the amounts of Shamsher Singh i.e. Rs. 18 Lakhs and Surajdeep Singh Rs. 18 Lakhs and Jagmohan Singh Rs. 18 Lakhs and Harman Singh Rs. 17 Lakhs and Lovepreet Singh Rs. 10 Lakhs were deposits on different dates and out of which Rs.20 lakh were given

to Ravinderpal Singh alias Ravi Deol in cash. 9. That on my request, Kavish Kataria, resident of Faridkot, transferred Rs.17 lakh 20 thousand in the account of Sukhmeet Kaur wife of Ravinderpal Singh alias Ravi Deol, in the account no. 919010091527767 Axis Bank on various dates for visitor Visa. 10. That whatever documents and passports were related to Visa's of all the above, they used to give to Sarabjit Singh's wife Sukhveer Kaur and Ravinderpal Singh's wife Sukhmeet Kaur and Ravinderpal Singh's mother Manjinder Kaur. 11. That after this, the above-mentioned accused neither sent my said acquaintances to Australia or Canada till now and we are only being harassed and delayed and they are not even returning our money. 12. That the above said accused gave fake Visa's of Jagmohan Singh, Gurdev Singh and his family and Shamsher Singh and his family. 13. That the above-mentioned accused have hatched a planned conspiracy and have defrauded my acquaintances to the tune of Rs. 1,82,60,000/- (One Crore Eighty Two Lakh Sixty Thousand). So you are humbly requested to take strict legal action against the above accused and please return our money to us. I will be very grateful to you. Thanking You, Place: Mohali, SD- Vatanpreet Singh”.

3. Learned counsel for the petitioner contends that even though the petitioner has been named in the FIR, but no specific allegations have been levelled against him. Even, during the course of investigation, the police could not collect any evidence with regard to the transaction between the petitioner and the complainant. Learned counsel for the petitioner has placed reliance on the order dated 23.10.2024 passed by this Court in CRM-M-33445-2024, whereby, the concession of bail has been granted to him in another case, which was registered against him with similar allegations. The petitioner was arrested in the present case on 04.12.2023 and is in custody for the last about 01 year and five months. He further contends that the prosecution had cited 21

witnesses, but no witness has been examined so far. Thus, further custody of the petitioner will not serve any meaningful purpose.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner on the ground that the petitioner is a habitual offender and is facing 21 more FIRs. He further contends that in two more cases, production warrants have been issued against the petitioner.

5. I have heard the learned counsel for the parties and perused the record carefully.

6. In the present case, the allegations levelled against the present petitioner are serious, where he had allegedly cheated several innocent persons. However, this Court is of the conscious view that the petitioner is in custody for the last about 01 year and 05 months and the offences are triable by the Court of Magistrate. Moreover, the prosecution has not been able to examine even a single witness out of total 21 witnesses. Thus, the trial may not conclude in near future and further custody of the petitioner will not serve any meaningful purpose.

7. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on his furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner 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 to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) *The petitioner shall not absent himself from the Court proceedings except on the prior permission of the Court concerned.*

(iv) *The petitioner shall surrender his passport, if any, (if already not surrendered), and in case he is not holder of the same, he shall swear an affidavit to that effect.*

(v) *The petitioner shall also file his affidavit before the concerned Court, mentioning his ordinary place of residence and number of mobile phone, which shall be used by him during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.*

(vi) *In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

(viii) *The petitioner shall report on every 1st and 3rd Monday of English calender month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha.*

8. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to him shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

15.05.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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