

CRM-M-37389-2025
Date of Decision:17.07.2025

2. The FIR in the present case was registered on the basis of the statement made by Mangal Singh-complainant. It was alleged in the FIR that Mangal Singh, complainant was contacted by Arvinder Singh alias Sharma on phone and he was assured that he would be sent to Europe. On getting the assurance, the complainant went to the office of Arvinder Singh, which is situated near Bus Stand, Jalandhar and Sonu, petitioner and Vijay Kumar @ Sikander, co-accused were also present at that time. All the three accused had received a sum of Rs.14.75 lacs from the complainant for sending him to Russia via Spain. The co-accused Arvinder Singh @ Sharma also gave him a written undertaking by using a letter head of M/s VS Enterprises that they would definitely send him to Russia. The complainant further alleged that he had made the payment to the accused in

the present case on getting the written assurance from them. Further, V.S.Enterprises, Immigration firm was run by Arvinder Singh @ Sharma, Sonu (petitioner) and Vijay Kumar @ Sikander jointly. After getting the money, the accused kept putting off the matter and had not sent him to abroad. On this, the complainant demanded his money back from him, but despite requests and reminders, it was not returned by the accused in the present case. With these broad allegations, the complainant was constrained to institute a complaint with the police, which finally led to the registration of the present FIR against the present petitioner and other accused.

3. Learned counsel for the petitioner vehemently argued that no specific allegations have been levelled against the petitioner nor any money was handed over to him by the complainant. From record, it is also apparent that no money was deposited in his account by the complainant. Moreover, the Immigration Firm i.e. M/s V.S.Enterprises was owned by Vijay Kumar @ Sikander, co-accused and the alleged receipt dated 29.09.2023 was issued by Arvinder Singh @ Sharma, co-accused. The petitioner is working as a Painter and is looking after his family including two minor children.

4. On advance notice, Mr. Tarun Aggarwal, Addl. Advocate General, Punjab, has appeared on behalf of State and has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner is involved in one more case i.e. FIR No.151 dated 26.07.2024 under Sections 406, 420 of IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, Police Station Division No.6, District Jalandhar. He further contends that from the perusal of the FIR, it is apparent that at the time when the money was handed over at the Firm, it was jointly received by the

petitioner and his co-accused. Moreover, keeping in view the antecedents of the petitioner, he is not entitled to grant the concession of anticipatory bail to him.

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

6. In the present case, there are allegations against the petitioner and his co-accused that they had received a sum of Rs.14.75 lacs from the complainant for sending him abroad and admittedly, till date, no steps have been taken for sending him abroad. Even this Court had noticed that in this part of the country, this kind of crime on the rise, where the fraudsters and fake immigration agencies extorted money from the poor and gullible persons on the pretext of sending them abroad and such systematic crime cannot be taken lightly. In the present case also, the petitioner and his two co-accused had made a false assurance and rather had given a written undertaking on the letter head of M/s V.S. Enterprises that the petitioner shall be sent abroad, still no steps were taken.

7. Thus, in the considered opinion of the Court, the custodial interrogation of the petitioner would be imperative to recover the documentary evidence, as well as the amount, which was received by them from the complainant. Moreover, the petitioner is also involved in one more case of similar nature i.e. FIR No.151 dated 26.07.2024 under Sections 406, 420 of IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, Police Station Division No.6, District Jalandhar and such repeat offenders should not be granted the discretionary relief of anticipatory bail.

8. Thus, finding no merits, the present petition is ordered to be dismissed.

(N.S.SHEKHAWAT)

JUDGE

17.07.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No