2025:PHHC:103786

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

SR. NO.225

CRM-M-38315-2025
DATE OF DECISION:06.08.2025

ARTI SINDHU

…PETITIONER(S)

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr.G.C. Shahpuri, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

Ms. Harshita Kalra, Advocate
for the complainant.

N.S. SHEKHAWAT, J.

1. The petitioner has filed the present petition under Section 482 BNSS for grant of concession of anticipatory bail in case FIR No.360 dated 30.05.2025 registered under Sections 420/406 IPC and Sections 10 and 24 of the Immigration Act, 1983 at Police Station City Yamuna Nagar.

2. The FIR in the present case was registered against the petitioner and others on the basis of the complaint by Jaswinder Singh and the same has been reproduced below:-

"Sir Superintendent of Police, Yamuna Nagar.

Subject:- Complaint Against (1) Aarti Sandhu Mobile No. 70156-82228 (2) Yogesh Sandhu Mobile No. 95180-97257

Resident House H. 1400, Prahladpuri, Yamuna Nagar, Tehsil Jagadhri, District Yamuna Nagar, Haryana-135001. Request to get back the total amount of Rs. 5,50,000/- (3.50,000/ outstanding amount 2.00.000/- file expenses) cheated from the applicant in the name of sending the applicant's son Chetan Saini abroad (America).

Sir, the humble request is that the applicant Jaswinder Singh son of Shri Sant Ram resident of village Tibbi Majra, Tehsil and District Panchkula sent a complaint letter to you on 26.04.2024 against the above culprits. Out of the total amount given by us to the above accused, only Rs. 50,000/- has been returned to me and the remaining amount was promised to be given in 10 days. But the above accused has not returned my outstanding amount to me till now. Due to which I got upset and tried to contact the above accused several times but they never gave me any reply. It is also worth mentioning that the applicant had earlier sent two complaint letters to your Honorable Sir's office in the above case, which are complaint registered ID No.3650 dated 27.04.2024 and 8218 dated 27.08.2024 (copy attached). Therefore, the applicant humbly requests you to please take strict legal action against the above culprits and please get back Rs. 5.50,000/- (Rs.3,50,000/- outstanding amount and Rs.2 lakh file expenses) which was cheated from the applicant in the name of sending the applicant's son Chetan Saini abroad (America)."

3. Learned counsel for the petitioner contends that the petitioner has been named in the FIR in order to extract money from the complainant by misusing the process of law. Even the complainant has not stated a word in the complaint as to how and when the payments were made to the petitioner and her brother. In fact, brother of the petitioner is running Best Visa Consultancy and has been duly authorised to work as an agent under the provisions of the Immigration Ac, and relied upon a certificate Annexure

P-2 in this regard. The petitioner is running a firm M/s Sunrise Shiksha Kendra, Model Town, Yamuna Nagar and being proprietor of the said Firm, she had only performed the work of documentation. Further, the request of the complainant was processed and vide letter Annexure P-3, he was informed that his son had been admitted by Morhead State University to pursue his Bachelor of Business Administration Course. However, after getting the letter for admission of son of the complainant, the son of the complainant did not go for interview in the Embassy on 13.12.2023. The petitioner had already paid the fee of the embassy and thus on account of default on part of the son of the complainant, the visa could not be given. Again the complainant was requested to send his son to the embassy on 13.03.2024, but again son of the complainant did not appear for the interview, as he was not interested in going abroad. Further, the complainant had only paid an amount of Rs.4 lacs through RTGS and the remaining amount was yet to be paid. The petitioner and her brother had already spent an amount of Rs.2 lacs on getting the work done of the complainant. Thus, the FIR has been got registered by the complainant by coining a false version.

4. On the other hand, a detailed reply has been filed by way affidavit dated 05.08.2025 of DSP, Yamuna Nagar and the same has been taken on record.

5. At the outset, learned State counsel submits that apart from the present case, the following FIRs have been found to be registered against the present petitioner:-

1. FIR No. 253 dated 22.06.2021, u/s 406, 420, 506 IPC, P.S. Gandhi Nagar;

2. FIR No. 128 dated 17.07.2021, u/s 420, 467, 468, 471, 506 IPC, PS. Jathlana;
3. FIR No. 831 dated 11.10.2021, u/s 420, 467, 468, 471, 120B, 506 IPC, P.S. City Yamuna Nagar;
4. FIR No. 562 dated 24.12.2021, u/s 406, 420, 120-B IPC, P.S. Naraingarh (Ambala);
5. FIR No. 157 dated 02.02.2022, u/s 420, 120B IPC, P.S. Shahbad;
6. FIR No. 122/2024, u/s 406, 420, 506 IPC, P.S. City Yamuna Nagar;
7. FIR No. 419/2024, u/s 406, 420 IPC, P.S. City Yamuna Nagar;
8. FIR No. 145/2025, u/s 406, 420 IPC, P.S.Thanesar;
9. FIR No. 439/2024, u/s 406, 420 IPC, 10/24 of Immigration Act, P.S. Gandhi Nagar;
10. FIR No. 144/2025, u/s 406, 420 IPC, 10/24 of Immigration Act, P.S. Gandhi Nagar;
11. FIR No. 325/2024, u/s 316(2), 318(4), 64 of BNS, 10/24 of Immigration Act P.S. Bilaspur
12. FIR No. 275, dt. 29-05-2024, u/s 406, 420, 120-B IPC, 10/21 of Immigration Act, P.S. Sadar Thanesar; and
13. FIR No. 596 dt. 29.10.2024, u/s 406, 420, 120B IPC and 10/21 of Immigration Act, P.S. Sadar Thanesar

6. Learned State counsel further submits that during the course of investigation, it has been found that the petitioner and her brother had cheated the complainant to the tune of Rs.5.50 lacs on account of sending his son Chetan Saini to America. When the complaint was made to the police, the petitioner had returned just Rs.50,000/- to the complainant and assured to give the remaining amount within ten days. But later on, she refused to return the same. As per the bank record, an amount of Rs.4 lacs was transferred by the complainant in the account of the petitioner,

maintained with Bank of India and the said amount was taken away by the petitioner. Apart from that, it has been found that an amount of Rs.4 lacs was transferred in the account of the petitioner through RTGS and the complainant had paid a sum of Rs.2 lacs in cash for expenses of the file. Thus, the stand taken by the petitioner before this Court is false.

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

8. In the present case, the petitioner had falsely represented to the complainant that his son would be sent to America after charging a sum of Rs.6 lacs. An amount of Rs.4 lacs was transferred by way of RTGS in the bank account of the petitioner, whereas an amount of Rs.2 lacs was paid to the petitioner and her brother in cash. Thereafter, neither son of the complainant was sent abroad, nor the amount was returned to the complainant in the present case. Apart from that, the petitioner has also been found involved in 13 more criminal cases of similar nature and has repeatedly indulged in crime of same nature. Thus, the petitioner is a habitual offender and is not entitled to the concession of anticipatory bail.

9. In view of above, the present petition is hereby dismissed.

(N.S. SHEKHAWAT)
JUDGE

06.08.2025
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO