



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

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**CRM-M No.39606 of 2025
Date of decision : 18.8.2025**

Amandeep Singh @ Mohit Chadda**Petitioner**
Versus
State of Punjab**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sanchit Punita, Advocate, for the petitioner

Mr. Jasjit Singh, DAG, Punjab

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.2 dated 8.2.2024, under Sections 406, 420, 120-B of IPC and Section 24 of Immigration Act, registered at Police Station NRI, Sangrur.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'At present, a letter No. 3063 Nodal Desk-3 dated 06.02.2024 from the office of Additional Director General of Police, NRI Wing Phase-7, SAS Nagar along with the application UID No. 2401753 from Prince Sharma son of Baljinder Pal, resident of House No. 352/2, Ward No. 04. Gol Park Road, Dhuri, District Sangrur and the investigation report has been received by post for registering the FIR. Facts of the complaint is as under: To. ADGP, NRI Wing Punjab police, SAS Nagar Mohali Subject: Request for initiating appropriate proceedings against the below-



mentioned accused persons for committing cheating and during the undersigned of significant money on the pretext of sending them abroad. Sir, 1. That, I Prince Sharma son of Sh. Baljinder Pal, resident of House no. 352/2, Ward no. 4. Gol Park Road, Dhuri, Sangrur is being cheated by a group of 6-7 persons on the pretext of sending me abroad (Canada) on work visa, along with other 5 individuals. 2. That a person namely Neetu introduced another person namely Aman (Accused) to my uncle Sh. Ramesh Kumar. My uncle met Aman along with Neetu at Sector-42, Chandigarh market on 01.07.2023 and he apprised him that, he owns transport company in Canada and he require 10-12 skilled workers for his company Canada. On further inquiry he told that he will arrange all the requisite documents for their visa and he will take them along with him to Canada and they only have to bear minor expenses. 3. That my uncle informed me and other victims about this thereafter, I contacted Aman on his phone no. +9175060-00013 and informed him about his communication with Sh. Ramesh Kumar. He asked me about my qualification and some other personal details thereafter, he told be that my profile matches with his requirement and he should meet him in person. 4. That a meeting was fixed for 02.07.2023 at outside the Eagle Motel, Rajpura where Aman along his three (3) associated came to meet me and other persons namely Davinder Sharma, Taranveer and Pargat Jeet Kumar in the presence of my uncle Sh. Ramesh Kumar and other relatives. There Aman and his associates assured us that they have a well settled business In Canada and they will take us to Canada on work visa and in this process, we have to bear minor expenses. At that point, he asked to deposit an amount of Rs. 50,000/- per person as a surety amount which will be refunded thereafter. I along with 4 other victims deposited him Rs. 50,000/- in cash. Afterwards, he informed us to come to Delhi tomorrow along with all the documents in original as well 2 passport size photographs for initiating the on process of Visa application. In the meantime, he also started requesting for transfer of further Rs. 15.000/ on a UPI Link the given id i.e., for the purpose of verification 9910139553@jaxl and then to another account bearing account no. 0313255661 held by Mahmad Irashad Aalam. 5. That 03.07.2023. I along with my parents, my uncle and 4 other victims came to Delhi and met Aman (accused) in a room situated at 14th floor of Le Meridian Hotel, New Delhi. Where Aman (accused) was present with his 6-7 associates



namely Mr. Satish Rao @ Anna, Fauji and other unknown persons. Aman (accused) inquired us about our academic details again and took a photocopy set of all the certificates from me and all other victims and thereafter. asked us to come to him in the evening at around 6:30 Pm for further process. In the evening around 6:30 Pm the accused Aman met us at the same hotel and informed us that, we all have to stay here for 4-5 days for training purpose and for further processing their application. Thereafter, he met us at around 8 Pm in the night as asked by him and asked us that, we have to show funds of around Rs. 12.5 Lakh in our accounts, as it is required for the purpose of work visa and also asked us to get the same reflected on our Bank Account Statements. 6. That next day on 04.07.2023, he first asked us to come at 10 Pm to meet him at the same place but, later on he postponed the same to 12 Pm Again, he took documents along with our id's on the pretext of proceedings with the visa application and afterwards sent us back. 7. That on 05.07.2023, he called us at 10 am at the hotel and started teaching us as how to appear in the interview for visa and then after a while he sent us back. 8. That on 06.07.2023, he told us that we all need to go to Bangalore as the appointment for Bio-metric is only available there. One of the associates of Aman (accused) booked the air tickets for all of us by using the ATM of one of the victims namely Davinder Sharma and when he objected to this, he was informed that the amount will be reimbursed to his account by Aman (accused) and doing so on the asking of him only. Before taking the flight, they asked us to come to JW Marriot situated in Aero City, New Delhi. We all were waiting there for almost 5-6 hours and thereafter, an associate of Aman came and took us to the airport. We boarded a connecting flight to Bengaluru through Jaipur and we reached Bengaluru on 07.07.2023. 9. That on reaching Bengaluru on 07.07.2023, Aman, Satish Rao @ Anna. Fauji and his other associated took away our cell phones and told us that the embassy will take their interview through telephonic call and they will handle the interview as we all won't be able to understand. We all objected to this but, they threatened us that. either we give us the phones with all security removed or otherwise he will drop our name from the process and will even charge a penalty additional to the surety amount we have already paid to the him, which he assured to return. On the same day in the evening at around 7 Pm we met Aman and his associates at Taj Hotel, Bengaluru where he told us that the embassy is



closed due to weekend so, the Bio-metrics will be conducted on 10.07.2023 i.e., on Monday. 10. That for two days 08.07.2023 and 09.07.2023 we were left without any communication and our phones were still with them So, on 10.07.2023 they asked us to go site-seeing for today and their date for bio-metric is fixed for tomorrow. 11. That on 11.07.2023 they asked us to come to Hyatt Hotel, Bengaluru at 10 am and to our utter shock when we reached there they, informed us that, they didn't get the appointment for Bio-metrics here and they have booked an appointment for metrics at Chandigarh center. Then, they booked the train tickets for all of the victims herein for Delhi. We all started from Bengaluru on 11.07.2023 and reached Delhi on 13.07.2023. After reaching Delhi tried contacting the associate of the Aman as well as Aman on following number i.e., +9175060-00013 (Aman), +9176960-45227 (Aman's PA-Santosh Rao @Anna), +9195998-70168 (Santosh Rao@ Anna). +9199101-39553, 99101-39553 (Naushad Khan), +919902341771. After trying for long they picked the call and informed us that we all should reach Chandigarh by today evening and Aman will hand over your cell phones to you all, he will be available at Hotel Mount View, Sector-10, Chandigarh after 8 Pm in the evening 12. We all booked a cab and reached Chandigarh in the evening around 7 Pm in the evening We all were waiting here and my uncle Sh. Ramesh Kumar was also with us. Thereafter, we kept on trying to reach Aman and associated but no one has picked our call since then 13. That after seeing their such conduct on 14.07.2023 we reached out to our respective banks and I was shattered at that point when I received the bank statement that all the money that was present in my account i.e.. Rs. 16,00,000/- has been transferred to the account of one of the Victim Devinder Sharma and thereafter, from his account that payment has now been disbursed to multiple other accounts. 14. That we all were burned to ground after getting to know about such fact. One of the other victims Davinder Sharma was also cheated in the same manner and even all the expenses charged from his account were never reimbursed to him. 15. That all my hard-earned money has been taken away from my account fraudulently and I humbly, request you to take appropriate action against all the accused so that, justice may kindly be served upon all of us. I hope for an expedite resolve. Sincerely, Prince Sharma Prince Sharma (+91 77174-72717) son of Sh. Baljinder Pal, Resident of House no. 352/2, Ward no. 4, Gol Park Road, Dhuri, Sangrur.'



3. Learned counsel for the petitioner has argued that the petitioner is in custody since 28.2.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question on account of a money dispute. Learned counsel has further argued that the trial emanating from the FIR in question is magisterial one. 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 18.8.2025 in Court, which is taken on record.

4.1 Mr. SPS Aulakh, Advocate has filed *vakalatnama* on behalf of the complainant. The same be kept on record. Learned counsel has vehemently opposed the bail petition of the petitioner by arguing that the allegations against the petitioner are serious in nature. Learned counsel has further iterated that in case the petitioner is enlarged on bail, there is all likelihood of the petitioner to abscond from the process of justice and to influence the evidence/prosecution witnesses.

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

6. The petitioner was arrested on 28.2.2025 wherein after investigation was carried out and challan stands presented on 12.3.2025. Total 11 prosecution witnesses have been cited. It is not in dispute that none has been examined till date. It is thus indubitable that culmination



of trial will take its own time. Further, the trial emanating from the FIR in question is a magisterial one. The rival contentions raised by learned counsel 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 18.8.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 7 months and 10 days. As per the said custody certificate, the petitioner is stated to be involved in three more FIRs registered under Section 420 of IPC etc.. 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. In case the petitioner does not possess passport, he shall furnish an affidavit to this effect before the concerned Court. And the said affidavit be verified by the concerned Court through SHO concerned before release of the petitioner on bail.
- (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

18.8.2025
Ashwani

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