



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

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**CRWP-8692-2024
Date of decision: 02.12.2025**

PUSHAP KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - None for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for seeking directions to the respondents to consider the representation submitted by the petitioner and to protect his life and liberty on the ground that he is being threatened with implication in a false criminal case.

2. Reply on behalf of the respondents have been filed by way of an affidavit of Satnam Singh, Deputy Superintendent of Police, City-1, District Patiala on 14.10.2025. Since there was no representation on behalf of the petitioner, on that day, hence, the matter was adjourned for today. The position remains unchanged today as well. There is no point adjourning the matter to await appearance of the Counsel for the petitioner more so when

the pleadings are already complete and an opportunity had been granted to the Counsel to advance arguments, hence, the case has been examined on merit.

3. It is evident from a perusal of the averments contained in the petition that the petitioner claims to be running a small-scale travel consultancy business, having been granted a license valid upto 28.02.2024. He also claims that he is suffering from a disability to the extent of 52%. It is averred that the petitioner was contacted by respondent No.5 through common friend with a request to help him resolve the issue relating to the son of respondent No. 5 who had allegedly been stranded in Armenia (Yerevan) and that he did not have any money for his survival. The son intend to go to Germany and instead thereof he had been sent to some other destination. The petitioner accordingly received certain amounts from respondent No.5 for arranging further travel for the son of respondent No.5. It is averred that the receipt of the amount was in fact to aid son of respondent No.5 and not in relation to any offence as alleged.

4. The reply filed by way of affidavit of Satnam Singh, PPS, Deputy Superintendent of Police, City-1, District Patiala has also been perused. The relevant extract thereof reads thus:

“4. That the brief facts of the case are that a complaint bearing no. 6803/Peshi dated 24.07.2024 has been received by the office of Senior Superintendent of Police, Patiala from Bhajan Singh, son of (late) Joginder Singh, resident of House no. 778, Adarsh Colony. Bhadson Road, Patiala (the respondent no. 5) against the petitioner and his brother Nikhil Kashyap.

5. *That in the complaint the complainant stated that his son, Baljot Singh, was seeking opportunities to settle at abroad when he was introduced to the petitioner, Pushap Kumar alias Sanju, and his brother Nikhil Kashyap. The accused visited the complainant's residence in Patiala and assured the complainant and his wife for settling Baljot Singh in Germany within 15 days for a total cost of 10 lakh rupees. Trusting their promises, the complainant and his family transferred a total sum of Rs. 8,30,000/- to the accused through various transactions, the details of which are as follows:*

- i. 30/11/2023: Rs. 50,000/- via Google Pay from Bhajan Singh to Nikhil Kashyap.*
- ii. 01/12/2023: Rs. 50,000/- via Google Pay from Bhajan Singh to Pushap Kumar.*
- iii. 02/12/2023: Rs. 50,000/- (37,000 + 13,000) via Google Pay from Bhajan Singh to Pushap Kumar.*
- iv. 18/01/2024: Rs. 5,00,000/- via RTGS from HDFC Bank, Bhadson Road, Patiala, from Gurdeep Kaur (the wife of Bhajan Singh) to Pushap Kumar.*
- v. 21/02/2024: Rs. 2,00,000/- in cash from Bhajan Singh to Pushap Kumar.*
- vi. 22/02/2024: Rs. 20,000/- via Google Pay from Bhajan Singh to Nikhil Kashyap.*
- vii. 11/03/2024: Rs. 1,50,000/- via RTGS from HDFC Bank, Bhadson Road, Patiala, from Gurdeep Kaur to Pushap Kumar.*

6. *That the complainant alleged that instead of fulfilling their promise, the petitioner, Pushap Kumar alias Sanju, and his brother Nikhil Kashyap sent his son Baljot Singh on a complex journey through multiple countries. On December 3, 2023, Baljot was sent from Armenia to Russia but was immediately deported due to an invalid visa. He was then returned to Armenia on December 4, 2023, and subsequently brought back*

to India on December 7, 2023. The accused then kept Baljot in a hotel for about a month before sending him to Dubai on January 2, 2024, followed by Azerbaijan on January 18, 2024, and Kazakhstan on February 17, 2024. In Kazakhstan, Baljot was apprehended by authorities due to another invalid visa.

7. That according to the complainant on March 13, 2024, the petitioner, Pushap Kumar alias Sanju, and his brother Nikhil Kashyap allegedly arranged for Baljot's release from Kazakhstan authorities and brought him back to Delhi via Azerbaijan on March 15, 2024. They returned him to Patiala on March 16, 2024, requesting another chance and Baljot's passport. However, after continued failures and excuses, the complainant demanded the return of the passport and money. The accused returned the passport but only refunded 1,90,000 rupees via Google Pay on different dates and provided a cheque for Rs. 5,30,000 /- dated June 24, 2024. This cheque was presented three times at HDFC Bank, Leela Bhawan Branch, Patiala (on June 26, July 3, and July 17, 2024) but bounced each time.

8. That the complainant alleges that the accused have fraudulently misappropriated the sum of Rs. 8,30,000/-, repeatedly misled his son with fake visas, and are now refusing to return the outstanding amount while issuing threats. The complainant has also brought to attention several prior FIRs registered against the petitioner and his father Chiranji Lal in other Districts, which are

i. FIR No. 105 dated 10/6/2023, under sections 420 and 406 at Police Station Dina Nagar, District Gurdaspur,

ii. FIR No. 107 dated 12/6/2023 under sections 420 and 406 at Police Station Dina Nagar, District Gurdaspur,

iii. FIR No. 142 dated 16/10/2021 under sections 420 and 120B at Police Station Division No. 1 Pathankot.

5. It is evident from the above that there are as many as 3 different FIRs that have been registered against the petitioner and that there is no basis on which petitioner claims threat to his life and liberty.
6. The averments as contained in the reply have not been countered by any effective document on record. It seems that the present petition has been filed as a pre-emptive action and as a means to create defence version for himself.
7. Since the grievance expressed by the petitioner is not well founded or borne out from *bona fide* transactions, no grounds are made out for granting the prayer as made for.
8. The present petition is accordingly dismissed.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 02, 2025
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No