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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.45149 of 2024
Date of Decision: 24.01.2025

Parveen Kumar ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. L.M. Gulati, Advocate,
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.
for the respondent-State.

Mr. Jitender K. Sehrawat, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking regular bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
300	21.04.2023	HTM Hisar, District Hisar	406, 420, 467, 468 and 471 of IPC read with 24 of Emigration Act, 1983 (120-B of IPC added later on)

2. As per the allegations, the complainant Sanjit who himself

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was running an Emigration and Consultancy Company engaged in the business of sending people abroad, had come into contact with the present petitioner who represented that he himself was involved in the same business and had induced the complainant to work along with him. The complainant had involved him for the purpose of sending 20 children abroad. In the month of March 2023, he took a sum of Rs.47,000/- each from the above children who were desirous of going abroad, on the plea, that the same was to be deposited for getting their medical examination conducted as well as for the purpose of issuance of visa. Subsequently, the complainant also deposited an amount of Rs.1,16,00,000/- in the bank account of the petitioner for the purpose of issuance of visas of those above children. An affidavit has been sworn by the petitioner thereby undertaking to refund the aforementioned amount if visa was not issued. He obtained all the necessary documents but no visa was issued. In this manner, the complainant and the aforementioned children were duped of huge amount of money.

3. As per the further allegations, the petitioner was arrested on 25.04.2023. He suffered disclosure statement admitting his involvement in the subject crime. Investigation stands completed.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is in custody since long. The trial is likely to take time as no witness of the prosecution has been examined so far. Several adjournments for the purpose had been granted by the learned

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trial Court. His custodial interrogation is no more required. Therefore, it is urged that he deserves to be released on bail.

5. Status report has already been filed by the respondent-State. Learned Deputy Advocate General, Haryana assisted by learned counsel for the complainant has argued that there are serious allegations against the petitioner. He was involved in 12 other cases of similar nature though he has been acquitted in some of them. He had duped the complainant and the children introduced by him to the petitioner, of huge amount of money. There are chances of his absconding or intimidating the witnesses if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

6. I have heard learned counsel for the parties at considerable length and have gone through the record.

7. As per the allegations, the petitioner by inducing the complainant and 20 children who were introduced by the complainant to him and who were desirous of going abroad to part with huge amount of money. The amount of Rs.1,16,00,000/- had been deposited in the bank account of the petitioner by the complainant for arranging visas for such children and he criminally misappropriated the same thereby causing huge financial loss to the victims. The allegations against him are serious in nature. Trial has commenced. There is nothing on record to show that there would be any undue delay in conclusion of the same. In view of the above discussed facts but without meaning to make any comment on the merits of the case, I am of

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the considered opinion that the petition does not deserve to be allowed.
Accordingly, the same is dismissed.

24.01.2025
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(MANISHA BATRA)
JUDGE

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