2025:PHHC:101432

104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42381-2025
Date of Decision: 06.08.2025

ASHU .... Petitioner

Versus

STATE OF HARYANA ..... Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Lajpat Rai Sharma, Advocate for the petitioner.

Mr. R.K. Ambavta, DAG, Haryana.

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YASHVIR SINGH RATHOR, J. (Oral)

1. By this order, I shall disposed of the petition for anticipatory bail moved by petitioner in FIR No.228 dated 25.04.2025 under Sections 406 and 420 of IPC and Section 24 of Immigration Act, 1983 registered at Police Station Indri, District Karnal (Annexure P-1).

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. The present case was registered on the basis of complaint given to the police by Rohit Sharma with the allegation that his father Antu Ram knows one Ajay Sharma, resident of Mohri District Karnal. Said Ajay Sharma told his father that he lived in Japan for a long time and he alongwith his friend Ashu, resident of Village Sambhli, District Karnal send people abroad and he can send his son Rohit Sharma to Portugal. Thereafter said Ajay Sharma called them to his village where Ashu was also present. They settled the deal for Rs.16 lakh for sending him to Portugal and he handed over his passport and documents to Ajay Sharma. It was also agreed that money will be kept with his relative

namely Vipin who was also called at the house of Ajay Sharma and it was further agreed that money will be paid to Ajay Sharma and Ashu by said Vipin after he is sent to Portugal. On 21.12.2023, his father Antu Ram withdrew a sum of Rs.3.5 lakh from his SBI account, Rs. 7 lakh from his PNB account and another sum of Rs.3.5 lakh from his Union Bank account. On 22.12.2023, he alongwith his father and uncle Rampal Sharma went to village Mohdi, District Karnal and handed over the amount to Vipin of their own sweet will in the presence of Ajay Sharma. On 26.12.2023, Ashu petitioner booked his ticket and he was sent to Russia. After he reached Russia, he was forced to tell his father that he has reached Portugal and thereafter they picked up the amount of Rs.14 lakh from the house of Vipin in the presence of his father and uncle. However, they kept him in Russia and assured to send him to Portugal and threatened to kill him, in case he disclosed these facts to his family members. In the month of February, he was sent to Belarus through forest area where he remained for two months and thereafter, he was taken to Polland through forests and his mobile was also thrown away. He stayed in forest for two months alongwith 15 people in a tent. They used to make him speak to his father and took another sum of Rs. 2 lakh from his father but thereafter, he was apprehended by Polland police and subsequently deported to India. They demanded their money back from the accused but they refused and he sought action against him. Learned counsel for the petitioner argued that petitioner has been falsely implicated. There is no direct allegation against him for having received any money as the same was in the custody of one Vipin who is the relative of the complainant.

4. Learned counsel further contends that he is ready to join the investigation and to abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be, thus, extended in his favour.

5. On the other hand, learned State counsel argued that petitioner alongwith co-accused namely Ajay Sharma had hatched the conspiracy and they duped the victim and his family of Rs.16 lakh with a false promise to send him Portugal. Rather, he was sent to Russia, thereafter to Belarus and Polland where he was apprehended and subsequently deported to India. Learned State counsel argued that such type of offences are increasing day by day and in view of the seriousness of the offence, the petitioner does not deserve the concession of anticipatory bail.

6. The allegations against the petitioner are serious in nature and he alongwith co-accused has duped the victim of Rs.16 lakh. There are specific allegations regarding handing over of money to him after he induced the victim to pay them the amount. The victim was not sent to Portugal but was sent to Russia, Belarus and Polland where he was apprehended by the Polland police and deported to India. Such type of offences are increasing day by day and have to be dealt with deterrent hand.

7. Taking into consider the gravity of offence, the petitioner does not deserve the concession of anticipatory bail and resultantly, the bail application is hereby dismissed.

(YASHVIR SINGH RATHOR)
JUDGE

06.08.2025
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Whether speaking/reasoned Yes/No
Whether Reportable Yes/No