

CRM-M-48998-2025 (O&M)

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

**CRM-M-48998-2025 (O&M)
Decided on : 18.11.2025**

Avtar Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Hardeep Singh Dhillon, Advocate
for the petitioner.

Mr. Pawan Kumar Jhanda, Sr. DAG Haryana

Mr. Dhruv Gupta, Advocate and
Ms. Titiksha, Advocate
for the complainant

SANJAY VASHISTH, J. (ORAL)

CRM-46321-2025

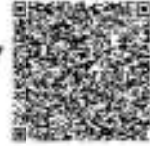
This is an application for placing on record Annexures P-8 to P-10.

For the reasons mentioned in the application, the same is allowed and
Annexures P-8 to P-10 are taken on record.

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1. Petitioner-Avtar Singh has filed instant petition under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), seeking regular bail in case FIR No. 60 dated 03.03.2025 registered under Sections 316(2), 318(4), 61(2) of BNS, 2023 at Police Station Parao, Ambala Cantt., District Ambala.

2. As per allegations, the petitioner has duped the complainant-Sukhwinder Singh for an amount of Rs. 37 lacs under the pretext of sending him to

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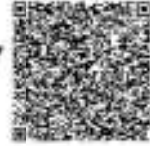
U.S.A. (United States of America).

3. Learned counsel for the petitioner contends that neither in the FIR nor during the course of investigation it came out that on what particular date, cash amount of Rs. 37 lacs was paid by the complainant to the petitioner. Even there is no monetary transactions from one bank account to another bank account and, therefore, only on the basis of the conversation on mobile phone it could not be termed that the allegations are truthful. He further argues that the petitioner is inside the jail for the last more than a period of seven months and despite granting opportunity number of times witnesses of the complainant/prosecution are not appearing.

In this regard counsel relies upon the zimni orders dated 14.08.2025, 28.08.2025, 11.09.2025, 25.09.2025, 09.10.2025, 17.10.2025 and 30.10.2025, wherein it is categorically mentioned that “**No PW is present**”, and thus, prays for grant of regular bail.

4. On the other hand, learned State counsel submits that the petitioner is the main accused, who maintained contact with the complainant throughout and despite receiving the alleged amount of Rs. 37 lacs did not facilitate the complainant to settle him in U.S.A. However, learned State counsel is unable to dispute the zimni orders which have been relied upon by the petitioner's counsel to authenticate the fact that despite granting seven opportunities, the witnesses cited by the complainant/prosecution have never come forward to depose on oath before the Court.

5. After hearing learned counsel for the parties and taking a serious note of the fact that the prosecution witnesses are not even appearing before the Court to depose on oath its own version, the petitioner can not be detained inside the jail



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for an indefinite period.

Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

6. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

7. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

8. Petition stands disposed of.

November 18, 2025

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**(SANJAY VASHISTH)
JUDGE**

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