



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

277

CRM-M-54399-2025

Date of decision: 19.12.2025

Paramjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present : Mr. Loveleen Nanda, Advocate for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J.(ORAL)

1. Petitioner, an accused in case bearing FIR No.108 dated 19.07.2025 registered against him at Police Station Bahu Akbarpur, District Rohtak, for the commission of offences punishable u/s 406, 420, 467, 468, 471, 120-B of IPC, has prayed for grant of pre-arrest bail.
2. Relevant facts as emerging from documents on record be noticed hereinbelow:-

Nirvair Singh, son of Baldev Singh, set the criminal law of motion by filing a complaint pointing therein that on 22.01.2022, Harwinder Singh Gill and Paramjit Dhillon-petitioner had initiated talks for sending him to America. They demanded Rs.25 lakhs. As he (C) was desirous of going abroad, he secured a loan of Rs.15 lakhs on his house from ICICI Bank. Rs.85,000/- were credited in the account of the present petitioner, who reassured to send him (C) abroad. Some amount in cash was also given to petitioner and co-accused Harwinder Singh. On 15.02.2022, he (C) was sent to Dubai, where he himself incurred expenditure for his stay. At that point in time, Harwinder Singh etc. had assured that they are arranging for an appointment letter for him (C) for going to America and that for the said purpose, he would have to reside



in Dubai. On 06.03.2022, he was sent to Azerbaijan, where also he spent money for his stay, food etc. When he sensed that Paramjit Singh (P) and Harwinder Singh were extending hollow promises, he returned back to India. On 10.01.2024, on the asking of Harwinder Singh, he again applied for Visa and withdrew Rs.9 lakhs from his account as also from the account of his brother and at the asking of present petitioner the money was handed over to Harwinder Singh and Rakesh Kumar, in presence of petitioner and co-accused Ajit Pal Singh. On 15.03.2024, he was sent to Dubai, where again he spent Rs. 5 lakhs on his stay, food etc. Later he was sent to Egypt. In April, 2024 when he was abroad, his friend Ajit Pal Singh took Rs.1.5 lakhs from his brother to confirm his ticket, however, no ticket or Visa was arranged for him. On 27.04.2024, he returned back to India after having a detailed conversation with co-accused Harwinder Singh. He requested all the accused including the present petitioner to return his hard earned money, who initially kept on delaying the matter and on his persistent request Rs.1 lakh were transferred in his account by co-accused Harwinder Singh. Later all the accused threatened that if he (C) and his family demands money, they would have to bear dire consequences. Primarily with this backdrop, complainant requested the police authorities to enquire into the matter, to catch hold of all those who were involved in this racket of sending people abroad by giving false promises/ assurances, as also to recover his hard earned money.

Documents on record indicate that the matter was thoroughly enquired into by Incharge, CIA Staff Sirhind, who was of the opinion that the present petitioner had played a crucial role in the entire incident, as he (P) had assured complainant to send him abroad. Money was also taken by him and other accused. Initially, complainant was sent to Dubai on a tourist Visa and from there he was sent to Azerbaijan, where he overstayed for



which he had to pay fine and then he was deported back to India. A year and a half later, petitioner along with other accused again extended false promises, took money from complainant and sent him to Dubai. A fake electronic Visa of Columbia was also sent to him. Complainant had to return back to India. Thus, the Enquiry Officer was of the opinion that a fraud has been played upon complainant by petitioner and the other accused, who all assured him to send him abroad, accepted money but later committed a breach of trust and prepared a fake Visa. It further emerges from the documents on record that on the request of petitioner, the learned Sessions Judge, Fatehgarh Sahib, before whom the petitioner had filed an application for grant of pre-arrest bail, had directed to transfer the enquiry of the case from CIA Staff Sirhind to Police Station Sirhind. Based on the verbal directions, the then Senior Superintendent of Police, Fatehgarh Sahib marked the enquiries to SHO, P.S. Sirhind, who concurred with the report of the CIA Staff, Sirhind and recommended registration of a case against petitioner and others. The then DSP, Fatehgarh Sahib directed the SHO to conduct further investigation and to collect Whatsapp chats, Visa verification details etc. On the basis of the documents collected thereafter, the police officers arrived at a conclusion that petitioner played a crucial role in the entire incident. Consequently, a formal case vide FIR No.108 dated 19.07.2025 u/s 406, 420, 467, 468, 471, 120-B of IPC was registered.

3. Apprehending his arrest, petitioner moved an application for grant of anticipatory bail before the learned Additional Sessions Judge, Fatehgarh Sahib, which was dismissed vide order dated 08.09.2025. Aggrieved of the same, the present petition has been filed.

4. Learned counsel for the petitioner submits that the allegations



leveled in the complaint are totally false and frivolous. In fact, petitioner and complainant were well known to each other. It is a mere case of friendly loan, which was advanced by complainant. But due to excessive rate of interest, petitioner could not return the entire amount and hence the relations between two of them i.e. petitioner and complainant became strained. Complainant was on the lookout of an opportunity to level scores with petitioner and only with a view to arm-twist him (P), a false story was concocted. Continuing further, learned counsel contends that petitioner is ready and willing to repay the entire loan amount of Rs. 1 lakh as also that he has already returned some money out of Rs.1 lakh that had been advanced to him (P). It is further the submission of learned counsel that petitioner had never assured complainant to send him abroad. Allegation of petitioner having accepted Rs.5 lakhs from complainant are totally frivolous and deserve not to be taken note of.

Falsity of the case set up by complainant, as per learned counsel, is apparent from the fact that initially SHO, P.S. Fatehgarh Sahib could not find any material to substantiate the allegations of complainant. Subsequently, however, without there being any other incriminating document available with the police authorities, merely on the directions of Senior Superintendent of Police, the aforesaid FIR was registered. Learned counsel contends that in the factual backdrop of the case and the sequence of events, as mentioned hereinabove, petitioner has been able to make out a case of exceptional depravity/hardship in his favour, in case the concession of pre-arrest bail is not extended to him. Moreover, he is willing to join the investigation as and when called for by the IO. Primarily on these grounds, it was prayed that concession of pre-arrest bail be granted to the petitioner.



5. *Per contra*, while opposing the request for grant of anticipatory bail, learned State counsel has drawn the attention of the Court to para 9 of the status report filed by way of an affidavit of Mr. Kulbir Singh Sandhu, Deputy Superintendent of Police, Fatehgarh Sahib, wherein the role of the petitioner has been highlighted as being one of the beneficiaries of the entire transaction. Police authorities, as per learned State counsel, based on incriminating material collected also concluded that petitioner induced complainant to part with his hard earned money on the pretext of sending him abroad. In 2022, petitioner was sent to Dubai, where he had to incur expenditure for his stay. Later, he was sent to Azerbaijan but on account of he having overstayed, he (C) was detained in police custody and then deported back to India. Again in 2024, petitioner was sent to Dubai, from where he was sent to Egypt and a fake electronic Visa/ticket of Columbia was sent to him. Learned State counsel contends that presence of petitioner is needed for custodial interrogation to find out the details of other co-accused namely Harwinder Singh @ Ravinder, who also played a crucial role in the entire incident and who has till date not been arrested. In the light of such like incidents being on the rise, where innocent persons are duped of their hard earned money by extending fake promises of sending them abroad, learned State counsel submits that no case for grant of this exceptional remedy of pre-arrest bail is made out. Dismissal of the petition has been prayed for.

6. I have heard the learned counsel for the parties and gone through the documents on record.

7. Before expressing any opinion on the merits of the rival contentions raised by learned counsel for the petitioner and learned State



counsel, it would be appropriate to refer to certain relevant judgments of Hon'ble Supreme Court, wherein the factors to be kept in mind while dealing with an application for grant of anticipatory bail, have been discussed.

Hon'ble the Supreme Court in **“P. Chidambaram vs. Directorate of Enforcement, ((2020) 13 SCC 791),** has observed as under:-

“67. Ordinarily, arrest is a part of procedure of the investigation to secure not only the presence of *the accused but several other purposes. Power under Section 438 Cr.P.C 1973 is an extraordinary power and the same has to be exercised sparingly. The privilege of the pre-arrest bail should be granted only in exceptional cases. The judicial discretion conferred upon the court has to be properly exercised after application of mind as to the nature and gravity of the accusation; possibility of applicant fleeing justice and other factors to decide whether it is a fit case for grant of anticipatory bail. Grant of anticipatory bail to some extent interferes in the sphere of investigation of an offence and hence, the court must be circumspect while exercising such power for grant of anticipatory bail. Anticipatory bail is not to be granted as a matter of rule and it has to be granted only when the court is convinced that exceptional circumstances exist to resort to that extraordinary remedy.”*

Hon'ble the Supreme Court while deciding the case titled as **“Ms. X Vs. The State of Maharashtra and another”, (2023 SCC Online SC 279)** held as under:-

“11.1. We propose to take a quick look at the considerations that ought to govern grant of anticipatory bail. There are a line of decisions of this court that have underscored the fact that while deciding an application for bail, the court ought to refrain from undertaking a detailed analysis of the evidence, the focus being on the prima facie issues including consideration of some reasonable grounds that would go to show if the accused has committed the offence or those facts that would reflect on the seriousness of the offence. The self-imposed restraint on delving deep into the analysis of the evidence at that stage is for valid reasons, namely, to prevent any prejudice to the case set up by the prosecution or the defence likely to be taken by the accused and to keep all aspects of the matter open till the trial is concluded.

12. *In Prasanta Kumar Sarkar's case (supra) (Prasanta Kumar Sarkar Vs. Ashish Chatterjee and another), a Division Bench of this*



Court had highlighted the factors that ought to be borne in mind while considering the anticipatory bail application and had stated that :-

"9. We are of the opinion that the impugned order is clearly unsustainable. It is trite that this Court does not, normally, interfere with an order passed by the High Court granting or rejecting bail to the accused. However, it is equally incumbent upon the High Court to exercise its discretion judiciously, cautiously and strictly in compliance with the basic principles laid down in a plethora of decisions of this Court on the point. It is well settled that, among other circumstances, the factors to be borne in mind while considering an application for bail are:

- (i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence;*
- (ii) nature and gravity of the accusation;*
- (iii) severity of the punishment in the event of conviction;*
- (iv) danger of the accused absconding or fleeing, if released on bail;*
- (v) character, behaviour, means, position and standing of the accused;*
- (vi) likelihood of the offence being repeated;*
- (vii) reasonable apprehension of the witnesses being influenced; and*
- (viii) danger, of course, of justice being thwarted by grant of bail."*

In *Nikita Jagganath Shetty @ Nikita Vishwajeet Jadhav vs.*

The State of Maharashtra and another, 2025 AIR SC 3375, the Hon'ble Supreme Court held that *"Anticipatory bail is an exceptional remedy and ought not to be granted in a routine manner."*

8. Factual aspects leading to the lodging of the FIR have already been noted in para 2 of the order. It has already been noticed that initially the matter was investigated by Incharge, CIA Staff Sirhind, who was of the opinion that the present petitioner had played a crucial role in the entire incident, as he (P) had assured complainant to send him abroad. However, on the oral request made by counsel for the petitioner, the learned Sessions Judge, Fatehgarh Sahib directed the Senior Superintendent of Police, Fatehgarh Sahib to re-enquire the matter. It further emerges from the documents on record that the then SHO did not collect relevant material and



when the matter was presented before DSP, Fatehgarh Sahib, he was of the opinion that the investigation had been conducted in a shoddy manner and directed the SHO to again relook into the matter. It was based on the ‘Whatsapp’ chat and other incriminating material that the police authorities arrived at a conclusion that a calculated fraud had been played upon complainant who had been shown a fake Visa of Columbia while he was in Egypt. It also emerges from documents on record that complainant was known to the petitioner, who had introduced him (C) to the other accused. Plea taken by learned counsel for the petitioner that it is a simple case of money transaction having gone sour between complainant and petitioner, has been noticed only to be rejected, for the reason that no document in support thereof has been placed on the case file. Agreeing with the submissions advanced by learned State counsel, this Court is of the opinion that the presence of the petitioner is needed for custodial interrogation to throw light upon the intricacies involved in the case, as in how many persons are involved in this racket, who all have been duped as also to find out the whereabouts of co-accused Harwinder Singh @ Ravinder Singh, thus, he (P) has not been able to make out a case of exceptional depravity/hardship in his favour, entitling him for the grant of this extra ordinary relief of pre-arrest bail.

9. The petition being devoid of merit, is hereby dismissed.

(AARADHNA SAWHNEY)
JUDGE

19.12.2025
Hemant

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