



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-55391-2025 (O&M)

Date of decision: 14.11.2025

Chhavi Sharma

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

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

Present :- Mr. Naresh Jain, Advocate for the petitioner(s).

Ms. Savi Nagpal, AAG Punjab.

Mr. Darpan Bansal, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

CRM-45375-2025

Application is allowed as prayed for subject to all just exceptions.

Main case:

1. The instant petition has been filed for the grant of regular bail to the petitioner(s) in FIR bearing No.206 dated 27.10.2023, registered under Section(s) 406, 420, 120-B (Sections 467, 468, 471 added later on) and Section 24 of the Emigration Act, 2014 at Police Station Mataur, SAS Nagar (Mohali).

2. Vakalatnama on behalf of the complainant has been filed today in the Court and the same is taken on record.

3. Briefly summarized, the facts of the present case as mentioned



in paragraph No.2 of the petition reads thus:-

“2. That the brief facts of the case are that the present FIR was registered on the basis of the application submitted by complainant Gurdeep Singh to SSP, SAS Nagar on 01/04/2023. The sum and substance of the allegations are as alleged by the complainant are that, the complainant intended to send his daughter, Jaspreet Kaur, on study basis to Australia and in that regard, approached M/S Star Future Education and Immigration Services where he met the petitioner, Chhavi Sharma. As per complainant's statement, the petitioner assured him that needful would be done in 3 months and the expenditure of this job would be 15,00,000/-, The complainant further alleged that he transferred a sum of about Rs/-11,50,000 and receipt in lieu of payment was issued to him. Furthermore, the complainant alleged that the petitioner gave him forged offer letter & fake CEO & assured complainant that work has been done. It was further alleged by complainant that he had paid the whole amount and that on basis of offer letter, her daughter sent mail to college in Australia, it surfaced that offer letter and COE given by accused were fake. Thereafter, neither accused persons have sent the daughter of the complainant abroad nor returned the money. That 2 other applications (1) Jashandeep Singh son of Hardeep Singh r/o Village Dalelwala, District Mansa, who in his application wrote that Chhavi Sharma &



Neha Sharma took Rs. 12 Lakhs 35 thousand for sending abroad. (2) Application by Rajpreet Singh son of Mohar Singh, Village Dalelwala, District Mansa, mentioned that Chhavi Sharma and Neha Sharma took Rs. 11 lakh 20 thousand from them for sending Australia. So, Fir was registered against Chhavi Sharma and co-accused Neha.” .

4. Learned counsel for the petitioner contends that the petitioner has been in custody since 22.12.2023 and has undergone an actual custody of more than 01 year 10 months. He submits that the trial has not yet commenced and, given that it is a Magisterial trial, continued incarceration of the petitioner is not likely to advance the interest of justice.

5. Learned counsel for respondent-State as well as counsel for the complainant vehemently oppose the prayer and contend that the petitioner is involved in a large number of cases and that there are as many as 13 other cases registered against him, however, they do not dispute the petitioner's period of custody, the fact that the evidence has not yet commenced, and that it is a case of Magistrate trial.

6. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition, with their able assistance.

7. Having heard the learned counsel for the parties and taking into consideration that the petitioner is 40 years old lady, the period of actual custody already undergone, the fact that the trial has not yet commenced, and that the mere registration of other FIRs would not be a ground for a



203

CRM-M-55391-2025 (O&M)

perennial detention of the petitioner and further bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

8. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

14.11.2025

Mangal Singh

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