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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-62418-2024 (O&M)
Date of Decision:- 29.01.2025

ADITAY KAJAL ALIAS ADITYA KAJAL

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Munish Mittal, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

Mr. Pradeep Chhoker, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case
FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
466	19.11.2024	406 and 420 IPC	Madhuban, District Karnal

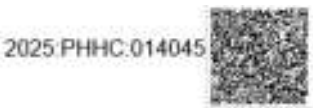
2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case. He contends that the petitioner had never allured the complainant nor he took money from him on the pretext of sending him abroad and no alleged transaction, as alleged in the FIR, ever took place between the parties. In fact, the only transaction between them happens to be of ₹6 lakhs pertaining



to sale of a car by the petitioner to the complainant. He contends that the petitioner has been falsely roped in the present case and he is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

3. *Per contra*, learned State counsel while referring to the reply filed by the State has assailed these arguments by submitting that the petitioner had duped the complainant of ₹19,85,000 on the pretext of sending him abroad. The said amount was transferred in the account of the petitioner through Google Pay and RTGS, as is evident from the bank account statements (Annexures R-1 to R-3), besides there being a conversation duly recorded vide Annexure R-6, affirming the fact. He contends that after taking the amount, the petitioner had informed the complainant that he will be sent to Australia via Indonesia and handed over the ticket and the complainant was sent to Indonesia, where he remained for one month, and from there, the petitioner had sent the complainant to Bangkok. Thereafter, he was again sent to Vietnam, where he was given a fake Visa and fake ticket for Australia. He submits that the custodial interrogation of the petitioner is required to unearth the scam and prayed for dismissal of the petition.

4. After considering the rival contentions and perusing the record, it transpires that there are specific allegations levelled by the complainant that the petitioner having duped him on the pretext of sending him to Australia and taking a huge amount of ₹19,85,000 for the purpose, but instead he was sent to Indonesia, then to Bangkok and lastly to Vietnam, where he was given a fake ticket and fake Visa for Australia. The payment



of amount through bank transfer is duly reflected in the documents annexed with the reply filed by the State, which could not be explained by learned counsel for the petitioner.

5. In these facts and circumstances of the case coupled with the nature and gravity of the offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

29.01.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No