



CRM-M-62285-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-62285-2024
Decided on: 07.01.2025

Jashanpreet Singh alias Waris Chouhan ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Roopak Bansal, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
119	08.07.2024	Panjokhara, District Ambala	108, 3(5) of BNS

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

2. As per paragraph 3 of the reply, the accused has the following criminal antecedents:

Sr. No.	FIR No.	Date	Offenses	Police Station
1	117	07.07.2024	406, 420, 467, 468, 471 & 120-B IPC	Panjokhra
2	168	2024	406, 420, 120-B IPC & 10 of Immigration Act	Partap Nagar, Yamuna Nagar
3	93	2024	406, 420 IPC & 24 of Immigration Act	Sector 3, Chandigarh
4	99	2024	406, 420 & 120-B IPC	Sector 3, Chandigarh
5	110	2024	406, 420, 120-B IPC & 24 of Immigration Act	Sector 3, Chandigarh
6	147	2024	406, 420, 120-B IPC & 24 of Immigration Act	Sector 3, Chandigarh
7	292	2024	406, 420 & 120-B IPC and 24 of Immigration Act	Chapper, District Yamuna Nagar
8	611	2024	406, 420 & 120-B IPC and 24 of Immigration act	Rania, District Sirsa
9	612	2024	406, 420 & 120-B IPC and 24 of Immigration Act	Rania, District Sirsa



CRM-M-62285-2024

3. The facts and allegations are being taken from the reply filed by the State, which reads as follows:

“4. That as a matter of fact, the present case was registered against the accused-petitioner and other co-accused on the complaint of Shivani d/o Sashikant R/o H.No.499, Brahmin Mohalla Village Panjokhra PS Panjokhra Sahib, District Ambala. The contents of FIR is as under:-

“Statement of Shivani daughter of Shashikant resident of house number 499, Brahman Mohalla village Panjokhara police station Panjokhara Sahib District Ambala. I am 23 years old and my mobile number 93067-60496. I am resident of above mentioned address and have passed B.Com. We are three brothers and sisters and my elder brother Akshay Sharma has gone abroad and young brother Karan Sharma is still studying. I had submitted my file for Australia on 2/2/2024 with visa support services sector 18/19 Chandigarh but VSS issued me a forged offer letter and I could not go to Australia and then I filed a complaint against VSS at police station Punjab where up on Nitish Goyal advocate made a deal between me and VSS for payment of Rs.5,66,000/- and on 28.05.2024 VSS transferred a sum of Rs. 66,000/- in my account and the sum of rupees 2,50,000/- was transferred on 23rd June 2024 after long arguments with my father Shashikant. Rupees 2,50000/- was due towards VSS to us which VSS had to pay on 1/7/2024 in my account but the employees of VSS namely Kamal, Karanveer, Sukhwinder Singh, Waris Chauhan, Nitish Goyal and MD Sandeep Singh Sandhu did not pay us our balance amount and talked harshly with me and my father Shashikant and kept on delaying the payment of our balance money and on 5/07/2024 Nitish Goyal and Sukhwinder Singh Sandhu and a lady employee refused to payback our money and started making excuse that server of bank is down and sometimes said that your payment will come into your account. Because of this my father used to remain sad and troubled. Then my father filed a complaint at police station Panjokhara. They on phone kept saying that they will pay on 8/07/2024 but kept on delaying and because of the bad treatment by VSS employees and not making payment on time, my father yesterday set himself on fire at 4:30 p.m. by sprinkling some inflammable substance on him and then he shouted bachao bachao and then after hearing the noise, me, my mother Urmila and my uncle Ravi Kant saw that my father was burnt badly because of fire. We doused fire and dialed phone number 112 and informed the police and the police took my father for treatment at CH Ambala where the doctor Sahib seeing the condition of my father referred him to PGI sector 12 Chandigarh and now my father is at Trauma centre PGI for treatment. On the way my father kept on saying that I have taken this step because of the conduct of agents



CRM-M-62285-2024

and owners of VSS and their not paying my money in time today. On 8/7/24 during treatment my father has passed away at PGI sector 12 Chandigarh. Action be taken against above mentioned employees and owners of VSS I have made my statement before my mother and uncle which is correct Sd/- Shivani date 8/07/2024 attested Gian Chand SI". Hence, the present case has been registered at PS Panjokhra Sahib, District Ambala."

4. Petitioner's counsel argued that he was only performing his job of counselor in lieu of salary and did not misrepresent. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. Regarding criminal antecedents, counsel further submits that petitioner is already released on bail which does not create separate offence. It would be appropriate to refer to para 9 of the petition, which reads as under:-

"9. That one Shashikant raised some dispute and the firm agreed to return back his money and returned a sum of Rs.66,000/- on 28.05.2024 and Rs.2,50,000/- on 23.06.2024."

5. The State's counsel opposes bail and refers to massive number of cases registered against the petitioner.

6. It would be appropriate to refer to the following portions of the reply, which read as follows:

"9. That during police remand, the investigating officer tried to apprehend the accused-petitioner on the demarcation of co-accused Satbir Singh but he could not be arrested. During the investigation, the co-accused Satbir Singh has disclosed that on coming to know about the incident of commission of suicide by father of complainant, on 08.07.2024, they have deposited the remaining amount of Rs.2,50,000/- in the account of complainant Shivani. Thereafter, the co-accused Satbir Singh was produced before the Court of Ld. Illaqa Magistrate and was sent to judicial custody.

x x x x x

16. That it is submitted that on the basis of disclosure statement of accused Satbir Singh, the accused-petitioner Jashanpreet Singh @ Warris Chouhan was his partner in Visa Support Services Chandigarh and both the accused in connivance with each other co-accused have committed the heinous crime of cheating with the complainant and her father (since deceased) and due to their harassment, the father of complainant has committed the suicide as the accused-petitioner and co-accused were not returning their whole amount. Hence, the custodial interrogation of accused-petitioner is necessary in this case for which the arrest of accused-petitioner is necessary to find out the truth in this case and further to know that the accused have cheated how many persons on the



CRM-M-62285-2024

false pretext of sending them to abroad. Moreover, the accused-petitioner is habitual offender and has been found involved in 9 other same type of criminal cases, the detail of cases have already been given in the preceding paras. Furthermore, the accused petition has concealed the fact of involvement of 9 other cases from this Hon'ble Court, hence the present petition is liable to be dismissed."

7. Although after the complainant's father committed suicide, the firm has returned money, but it is not a question of returning the money, however it is clear that the suicide of the complainant's father compelled the firm to return money and it would not absolve them from any criminal intent. On the fact of it, if the money had been returned earlier, then the complainant's father would not have committed suicide. In addition to that petitioner has a massive number of criminal cases which shows his criminal bent of mind.

8. A perusal of the bail petition and the documents attached prima facie points towards the petitioner's involvement and does not make out a case for anticipatory bail. However, the petitioner may apply for regular bail after surrendering and the observation made by this Court shall not be considered at the time of regular bail.

9. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

10. Petition dismissed. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

07.01.2025
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.