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

**221**

**CRM-M-60665-2025 (O&M)**
**Date of decision: 03.12.2025**

Subhash Singh ...Petitioner(s)

VERSUS

State of Haryana ...Respondent(s)

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

Present :- Mr. Deepak Jindal, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

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**VINOD S. BHARDWAJ, J. (Oral)**

1. The instant petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.378 dated 24.07.2025, registered under Section(s) 406, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860 at Police Station Civil Lines, District Karnal, Haryana.

2. Briefly summarized, the facts of the present case as mentioned in the order dated 09.10.2025 passed by the trial Court are that:-

> *"3. The prosecution case in the nutshell is that a complaint was received from Rajat Chauhan against Vishal Pundir and Subhash Pundir in the office of Superintendent of Police, Karnal submitting that he has Immigration Office in the name of "Tathastu Overseas". The accused Vishal Pundir committed fraud with him regarding visa and work permit. In December 2023 he had talk with Vishal Pundir regarding work permit for Croatia and he assured that he will get three valid visas and work permits for three candidates namely Paras, Vivek and Neeraj for which he has demanded ₹.1,00,000/- advance for each visa. Complainant transferred the amount in his bank account on various dates. Thereafter, accused assured*

*that till February 2024 work permit will come and in March he will do filing and in April 2024 he will get the visa but he did not fulfill his promise. Now, he has stopped picking his phone and even talked aggressively or became underground. In the month of May 2024 he has given the invitation letters for his candidates and told that now he himself will do filing. But when he verified those documents from company in Croatia then he found the same forged. Despite this he and one Amit gave various amounts to the accused on various dates from their bank accounts. Even for securing visa of South Korea of Akshay Gosian complainant has given ₹.1,00,000/- more. Till July 2024, the complainant has made the payment either from his own bank account or from the bank account of his wife. Then in July 2024 he personally met the accused persons who have not given any satisfactory answer regarding the documents. When he enquired about the validity of the work permit then he avoided the matter by saying that verification of cheques is not within their jurisdiction. However they falsely assured him that his work will be done. After that they started avoiding picking his phone and giving reply. On 12.07.2024 relative of the complainant contacted the accused on which he threatened him and told that whenever he will have mood he will make the payment. Then in the month of December he has taken ₹. 2,00,000/- more from him which he was forced to give. That amount he has handed over to his father Subhash Pundir in cash in the month of December. In this manner he has given ₹. 9,90,000/- to Vishal Pundir but till now neither their work had been done nor their amount had been returned. When he tried to contact Vishal Pundir then he abused him telephonically and further threatened him to do whatever he can do. Due to this incident he has to suffer serious economic and mental loss. He has to close his business and was doing* *some job for his livelihood. His married life also suffered to a great extent. His old age parents are under mental stress. Hence, the prayer for taking strict legal action against both the accused persons and recovering his money has been made.".*

3. Status report by way of affidavit dated 01.12.2025 on behalf of respondent(s)-State has been filed by the learned State counsel today in the Court and the same is taken on record.

4. Learned counsel for the petitioner submits that the complainant, Rajat Chauhan claims himself as being engaged in the emigration business and alleged that he had come into contact with one Vishal Pundir, who purportedly assured him that he could arrange visas and work permits for three candidates sponsored by the complainant. Counsel contends that the entire transaction, as pleaded, was exclusively between the complainant and Vishal Pundir, and no specific role or overt act has been attributed to the present petitioner. The petitioner has been arrayed as an accused merely on account of being the father of the principal accused, Vishal Pundir, and not on the basis of any independent allegation of inducement, mis-representation, or participation in the alleged transaction.

5. He contends that the only allegation levelled against the petitioner is that, out of the total agreed amount of ₹.9,90,000/- allegedly payable to Vishal Pundir, a sum of ₹.2,00,000/- was purportedly handed over to the petitioner for onward transmission to the said Vishal Pundir. It is argued that there is no assertion of any inducement, allurement, promise or act of forgery attributable to the petitioner. No document is stated to have

been fabricated or executed by him, nor is there any allegation that he participated in or facilitated the transaction in any manner other than the alleged act of receiving money on behalf of his son. Counsel submits that the petitioner is not involved in any other criminal case and has remained in custody since 02.09.2025. It is further pointed out that the recovery effected from the petitioner is only of ₹.1,800/-, which itself demonstrates that no substantive proceeds of the alleged offence were found in his possession.

6. At this stage, Mr. Parminder Singh, Advocate, enters appearance and files vakalatnama on behalf of the complainant in the Court today itself and the same is taken on record.

7. Learned State counsel as well as counsel for the complainant submit that the petitioner and his son had been colluding with each other and were jointly engaged in operating a work-permit racket. It is contended that the complainant was induced and cheated by the petitioner and his son, Vishal Pundir, for a total amount of ₹.9,90,000/-. The participation of the petitioner is made out from the fact that he had received a sum of ₹.2 lakh out of which a sum of ₹.1800/- has already been recovered from him during investigation. It is, however, not disputed that the petitioner does not have any other criminal record and that investigation qua him stands completed and he has undergone an actual custody of more than 03 months.

8. Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the petitioner, nature of allegations levelled against him, his role in the commission of the alleged offence and also the clean antecedents coupled with the fact that the

case is a triable by a Magistrate and 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.

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

10. 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.

**11.** 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**

**03.12.2025**
*Mangal Singh*

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