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

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Decided on:07.11.2025

Jasvir Ram

.....Petitioner

Versus

State of Punjab and anr

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Harkaran Singh, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J.

1. Petitioner, Jasvir Ram, aged 46 years, has filed the present petition seeking the grant of anticipatory bail in case FIR No. 0140 dated 12.11.2024, registered under Sections 406 and 420 of the IPC at Police Station Anandpur Sahib, District Rupnagar.

2. As per the allegations in the FIR, the complainant, Inderjit Singh, has alleged that the accused, Jasvir Ram, was working as an agent for sending persons abroad after receiving an agreed amount. In the present case, for arranging the complainant's travel to Poland, the total amount was settled at ₹7,00,000/-, out of which ₹3,00,000/- was transferred through RTGS and ₹1,00,000/- was paid separately in cash. However, neither was the complainant sent to Poland nor was the amount refunded by the petitioner.



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3. After hearing learned counsel for the petitioner, on 23.12.2024, the following order was passed by this Court:

“1. Present petition has been filed for grant of anticipatory bail to the petitioner in case bearing FIR No.0140, dated 12.11.2024, under Sections 406/420 of IPC, 1860, registered at Police Station Anandpur Sahib, District Rupnagar.

2. On oral request made by counsel for the petitioner, complainant namely Inderjeet Singh, s/o Baljinder Singh, resident of Lodipur, Anandpur Sahib, Rupnagar, Punjab, is impleaded as respondent No.2 in the array of the respondents.

3. Let amended memo of parties be submitted before the Registry by the counsel for the petitioner, within a period of three days from today.

4. Counsel for the petitioner, inter alia, contends that the complainant has given a false and concocted version because as per the compromise which is stated to be attached with the FIR by the complainant, the due amount is said to be Rs.4,70,000/- out of which Rs.70,000/- has been paid by the petitioner to the complainant Inderjeet Singh, and an amount of Rs.1,00,000/- was forgone by him (complainant).

5. Continuing his submissions, counsel for the petitioner refers to the bank statement of the petitioner and points out that an amount of Rs.3,00,000/- was transferred to the account of complainant Inderjeet Singh, through NEFT on 10.01.2023.

6. Notice of motion.

7. On advance notice, Mr. S.S. Gill, Sr. DAG-cum-Public Prosecutor, Punjab, accepts notice on behalf of the respondent/State along with Investigating Officer ASI Gurnaib Singh.

8. For clarification, learned State counsel seeks an adjournment to file status report/affidavit in regard to the submissions addressed by counsel for the petitioner.

9. Adjourned to 12.03.2025.



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10. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of the BNSS, 2023.

11. Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the country, he would seek prior permission from the Investigating Agency/concerned Court.”

4. In the application filed seeking modification, on 03.04.2025, following order was passed by this Court: -

“1. While arguing the application i.e. CRM-10096-2025 for making necessary correction in the order dated 23.12.2024 passed by this Court, counsel for the applicant/petitioner refers to the bank statement of the petitioner – Jasvir Ram (Annexure P-1), and submits that an amount of Rs.3 lacs was received in the bank account of the petitioner from the complainant namely Inderjeet Singh, which on the next day was transferred in the account of Roshan Lal, the person who had to make all the necessary arrangements for sending the complainant abroad.

2. Further submits that an amount of Rs.70,000/- has already been paid by the petitioner, which has been recorded in the order dated 23.12.2024, passed by this Court. However, inadvertently, it was stated and so recorded in the said order that an amount of Rs.3 lacs has been paid to the complainant, rather it was paid to Roshan Lal.

3. Counsel for the petitioner assures that the complete amount of Rs.3 lacs would be paid by the petitioner to the complainant namely Inderjeet Singh, before the next date of hearing, and the petitioner will again join the investigation for disclosing all the relevant facts.



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4. *Let hearing in the application as well as the petition be deferred for 15.05.2025.*

5. *However, petitioner is directed to join the investigation within two weeks from today, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

6. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court”

5. On 29.07.2025, the following order was also passed by this Court:

“1. Counsel for the petitioner submits that due to the weak financial condition, petitioner could not pay back the amount to the complainant. However, today, he has come up with the cash amount of Rs.80,000/- and undertakes to be abide with the earlier statement of paying back of Rs.3 lacs more to the complainant towards the final settlement of the dispute.

2. For the said purpose, counsel for the petitioner prays for sending the matter to the Mediation and Conciliation Centre of this Court, as his client is ready to appear today itself at the Mediation and Conciliation Centre of this Court, and to pay the cash amount of Rs.80,000/-, to the complainant.

3. Mr. Harnoor Singh Chaddha, Advocate, puts in appearance on behalf of the complainant, and files his vakalatnama in Court today, which is taken on record.

4. Counsel for the complainant submits that the complainant is least interested in settling the dispute. Therefore, he is not in favour of sending the matter to the Mediation and Conciliation Centre of this Court.



5. *Noticing the stand of the respective parties and the fact that despite vacating of the interim protection, vide order dated 15.05.2025, till date, petitioner has not been arrested for one reason or the other, petitioner is directed to join the investigation again, as and when required to do so by the investigating agency and in such eventuality, he would be released on anticipatory bail.*

6. *At this stage, counsel for the complainant changes his mind and agrees to recommend the matter to the Mediation and Conciliation Centre of this Court.*

7. *Accordingly, let the petitioner and the complainant (concerned parties) appear before the Mediation and Conciliation Centre of this Court on **29.07.2025, i.e. today itself, at 2.00 P.M.,** to see if the petitioner can pay the cash amount of Rs.80,000/- which he has brought to this Court today, and thereupon, the concerned Mediator will proceed further, to settle the dispute.*

8. *List again on 02.09.2025, awaiting report.*

9. *However, it is made clear that if the matter reaches back to this Court with a report of no settlement or part settlement, petitioner would not be entitled for any equitable relief.”*

6. On 02.09.2025, this Court was informed that the dispute had once again been settled before the Mediation and Conciliation Centre of this Court for a total amount of ₹2,80,000/-, out of which ₹1,60,000/- was stated to have already been paid, while the remaining ₹1,20,000/- was yet to be paid. Accordingly, on 02.09.2025, the following order was passed by this Court:-

“ *Learned counsel for the petitioner submits that the parties arrived at a settlement before the Mediation and Conciliation Centre of this Court. As per the terms and conditions of the settlement, a sum of 21,60,000/- stands paid to the complainant out of the total settled amount of 72,80,000/-. Learned counsel*

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submits that the petitioner would clear the remaining settled amount in the next two months.

There is a request for extension of time from the Mediation and Conciliation Centre of this Court as well.

Adjourned to 08.10.2025 to await the report of Mediation and Conciliation Centre.

Interim order to continue till the next date of hearing only.”

7. On the next date of hearing, i.e., 08.10.2025, it was again recorded that an amount of ₹1,20,000/- was yet to be paid by the petitioner. Accordingly, this petition has been listed again for hearing today, i.e., 06.11.2025.

8. Thereafter, on 06.11.2025, the petitioner's counsel again prayed for some time on account of medical exigency. Consequently, the petition was listed today for disposal.

Learned counsel for the petitioner further expressed the inability of the petitioner to pay the balance amount of ₹1,20,000/-, despite the dispute having been freshly settled before the Mediation and Conciliation Centre of this Court.

9. In view of the above, this Court does not find any substantial reason for further adjournment. Prima facie, it appears that petitioner is availing the concession of anticipatory bail by seeking repeated adjournments under the assurance of repaying the amount.

Accordingly, present petition is hereby dismissed. It will be open for the Investigating Officer to proceed in accordance with law based on the evidence available with him/her.

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Since the dispute had been re-settled before the Mediation and Conciliation Centre of this Court for a sum of ₹2,80,000/-, out of which ₹1,20,000/- has not been paid, miscellaneous application, i.e., CRM-10096-2025, seeking modification of the order dated 23.12.2024, does not require any further adjudication. Accordingly, same also stands disposed of.

(SANJAY VASHISTH)
JUDGE

November 07, 2025

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Whether Speaking/Reasoned: **YES/NO**Whether Reportable: **YES/NO**