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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-64326-2025
Date of Decision: 27.11.2025

SURJEET SINGH Petitioner

Versus

STATE OF HARYANA Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Pawan Attri, Advocate
for the petitioner.

Ms. Vasundhara Dalal Anand, Sr. DAG, Haryana.

Mr. Amandeep Singh Mann, Advocate
for the complainant.

YASHVIR SINGH RATHOR, J. (Oral)

1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case FIR No.334, dated 04.09.2025, registered at Police Station Sadar Fatehabad, District Fatehabad (Annexure P-1), under Sections 318(4), 316(2) and 3(5) of BNS, 2023.
2. Mr. Amandeep Singh Mann, Advocate has put in appearance on behalf of the complainant and filed his Memo of Appearance. The same is taken on record. He undertakes to file Power of Attorney on the next date of hearing.
3. In compliance of order dated 17.11.2025 passed by this



Court, status report by way of affidavit dated 20.11.2025 of Kulwant Singh HPS, Deputy Superintendent of Police, (HQ, Crime & Traffic) Fatehabad District Fatehabad filed on behalf of the respondent-State is taken on record. Registry is directed to tag the same at an appropriate place.

4. Both the parties have been heard and material on file has been perused.

5. The present case was registered on the basis of statement given to the police by Parveen with the allegations that one Amandeep Kaur, daughter of Bhupinder Kaur, lives in Australia, who was married in Pehowa and through her, she got acquainted with Surjit Singh-petitioner, who deals in sending people abroad. On 23.01.2023, he had come to Dhani Rampura, at the house of one Malkeet Singh and he took his original passport and other documents from him and promised to send him to Australia on a tourist visa on payment of Rs.18 lakh. He transferred a sum of Rs.1,30,000/- on 25.01.2023 and he told that it will take two months in arranging his visa. When they contacted him after two months, Surjit Singh and his son Harmanpreet Singh sought some more time and they demanded their money back. However, he demanded Rs.7.2 lakh for arranging the visa and he had shown one visa to him on phone which was also available online. He further told that the travelling expenses will also be borne out of this payment of Rs.7.2 lakh. Thereafter, he started demanding another sum of Rs.50,000/- for arranging a ticket. On 18.04.2023, he arranged a ticket and when he went to the airport, after paying him the entire amount, he was told that the visa was fake and he could not go abroad. When he talked to Surjit Singh,



he asked him to stay in Delhi for 2–3 days and promised to send him on the same visa, but he did not send him abroad and he returned to his home. Thereafter, he along with his family members met him, but he again promised to send him to New Zealand on a work visa, but he prolonged the matter for 08 months and thereafter, he neither sent him abroad nor returned the amount. Thereafter, Panchayat was convened where he executed an agreement and promised to return the amount to him vide agreement dated 28.12.2024, but the amount was not returned. Thereafter, he moved a complaint before the Superintendent of Police, Fatehabad and one police inspector got the dispute compromised and the accused issued two cheques to him for Rs.4,50,000/- each and he sought action against him.

5. Learned counsel for the petitioner contended that the petitioner has received only a sum of Rs.1,30,000/-. The allegation with regard to payment of Rs.9 lakh is false and no such amount has been paid to him. The petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court and the benefit of anticipatory bail be extended in his favour.

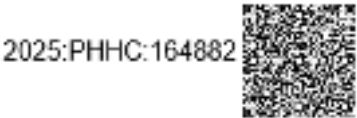
6. On the other hand, learned State counsel, assisted by learned counsel for the complainant has opposed the bail and argued that the petitioner has committed a heinous offence and he has duped the complainant of a sum of Rs.9 lakh with a promise to send him abroad. He even produced one fake visa for sending him to Australia and an air ticket was also booked and when the complainant reached the airport, he was told that the visa was fake. Thereafter, he agreed to return the amount by executing an agreement dated 28.12.2024, but the amount has not been



returned. He also issued two cheques for Rs.9 lakh in all, but the payment has not been made. Learned State counsel further argued that in view of the gravity of the offence, the petitioner does not deserve the concession of anticipatory bail.

7. It is well settled that the power to grant anticipatory bail is of extra-ordinary nature and is to be sparingly used with circumspection as held in 2022 (4) RCR (Criminal) 968 titled as "**Sachin @ Sachin Ahuja Vs. State of Punjab**". In SLP (Crl.) 7940 2023 titled as "**Shri Kant Upadhyay Vs. State of Bihar**", Hon'ble Apex Court has held that grant of interim protection or protection from arrest to an accused in a serious case may lead to miscarriage of justice and may hamper investigation to a great extent as it may sometimes lead to tampering or destruction of evidence. The court is cognizant of the fact that power of anticipatory bail is to be exercised in exceptional circumstances as it may cause some hindrance to normal flow of investigation which would undermine the case of the prosecution.

8. The allegations against the petitioner are serious in nature. He has taken Rs.9 lakh from the complainant for sending him abroad and had even shown a fake visa for Australia and this fact was revealed when the petitioner went to the airport to board a flight. Thereafter, he executed an agreement promising to return the amount, but no amount was returned. Subsequently, he issued two cheques for Rs.4.5 lakh each, but payment still has not been made. As such, the intention of the petitioner was to cheat the victim from the very beginning. Such types of offences are increasing day by day wherein innocent persons are being duped of their hard-earned money and thus, such offences have to be handled with



an iron hand. In case the petitioner is interrogated under the protective umbrella of the order of this Court, he will not answer the questions in the right earnest. Rather, the grant of anticipatory bail will certainly hamper the investigation. As such, in view of the gravity of the offence, the petitioner is not entitled to the concession of anticipatory bail and resultantly, the bail application is dismissed.

(YASHVIR SINGH RATHOR)
JUDGE

27.11.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No