



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

227

**CRM-M No.66375 of 2025
Date of decision : 22.12.2025
Date of uploading : 23.12.2025**

Gurmeet Singh**Petitioner**
Versus
State of Haryana**Respondent**

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Tarun Sharma, Advocate and
Mr. M.S. Chauhan, Advocate, for the petitioner
Mr. Gurmeet Singh, AAG, Haryana

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.367 dated 20.7.2024 under Section 10 of Immigration Act, 1983, Sections 370, 406 and 420 of IPC (Section 370 IPC deleted and Section 120-B of IPC and Section 24 of Immigration Act have been added later on), registered at Police Station Thanesar Sadar, District Kurukshetra.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

'Copy of Complaint is as under: At this time on complaint No. 1246-PESHI dated 19.07.2024 has been received through post in the office of Superintendent of Police, Kurukshetra, which is as follows:- To Superintendent of Police Kurukshetra Haryana. Subject Regarding missing report of my Son (mr Gagan S/o Gulab Chand R/o Vill Sirsla Distt



Kurukshetra -136131 (passport No V0817460). R/Sir, It is intimated that my son Mr. Gagan S/o Gulab Chand R/o Sirsala, District Kurukshetra (Age-22 Years) (Passport No. V0817460) has travelled to Dubai by flight on 31.10.2023 and stayed in Dubai till 02.11.2023. 2. On dated 13.04.2024, my son called from mobile No. 89503-49931 to my wife on mobile 95883-14356 and told that:-"He went to Qatar and Jakarta via Bali (Indonesia) and he stayed over one month. In continuation above journey, he went to Malaysia on 17.12.2023, Bangkok (Thailand) on 14.01.2024 and Russia 06.02.2024. He reached Belarus on 16.02.2024. On dated 16.02.2024, my son Gagan met with Mr. Gaurav, Travel Agent, there alongwith 28 persons. They all went to Belarus by road in search of work on 13.04.2024. My son and three other persons were separated from the group and caught by Belarus Army. During journey, they all fell sick and the army personnel got them admitted in hospital for medical treatment and left them at border area (Zero Point). He told that his health is deteriorating. 3. 13.04.2024, the Since, mobile of my son is switched off. I have no information about whereabouts of my son Gagan. My son is missing and in no contact situation. All family members are worried and under trauma.4. My son has applied for immigration through Mr. Rohit S/o Niranjana Singh, VPO Sirsala, District Kurukshetra 136132 (India No. 91 8307721010). I have paid Rs. 10.5 Lakh for work permit. I have tried at various levels to know the whereabouts of my son. The travel agent is also not cooperating and not helping to find out the location of my son. He might know the whereabouts of my son.5. In view of above, it is requested that Ministry of External Affairs, GOI, immigration authorities/local police may be directed to take strict action against the travel agent and the life of my son could be saved, who is missing since 13.04.2024. I shall be thankful. Yours faithfully, Sd/ Gulab Chand Dated: -19.07.2024 (Gulab Chand) R/O VPO Sirsala, Kurukshetra Mob:-95883-14356.'

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 6.8.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the petitioner has been implicated into the FIR in question primarily on account of disclosure statement made by



co-accused Chetan, which is not tenable in law. Learned counsel has further submitted that the said co-accused Chetan has been extended the concession of regular bail vide order 20.11.2024 passed in CRM-M No.64605 of 2025. Learned counsel has further submitted that the petitioner is a man with clean antecedents. Thus, regular bail is prayed for.

4. Learned State counsel has filed reply by way of affidavit of Prateek Gahlot, IPC, Addl. SP, Kurukshetra in Court today. The same be kept on record. Copy thereof has been furnished to learned counsel for the petitioner. Raising submissions in tandem with the said reply, learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 20.12.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 6.8.2025 wherein after investigation was carried out and challan stands presented on 29.9.2025. Total 18 prosecution witnesses have been cited but none has been examined till date. The culmination of trial, but of course, will take long. The rival contentions raised by learned counsel give rise to debatable issues which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival



contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

As per custody certificate dated 20.12.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 4 months and 11 days & is not shown to be involved in any other case.

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed



hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

22.12.2025
Ashwani

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