



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

215

CRM-M-5514-2026 (O&M)

Date of decision: 06.02.2026

Parth Jani

...Petitioner(s)

VERSUS

State of Haryana

...Respondent(s)

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

Present :- Mr. Navnit Sharma, Advocate for
Mr. Sharmila Sharma, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

1. This 1st petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.220 dated 12.05.2023, registered under Section(s) 120-B, 406, 420, 467, 468, 471 of the Indian Penal Code, 1860 and (Section 201 I.P.C. and Section 24 of the Immigration Act added later) at Police Station Sector-7, Panchkula.

2. FIR in the present case has been registered on the complaint of Kanav Sharma and Rakesh Bansal. The same reads thus:-

“Respected Sir, 1. We were appointed as authorized agents on behalf of the Immigration Firm, namely M/s Pelican Immigration Consultants by its Proprietor Sh. Parth Jani vide written Authority letter dated 17 May, 2021 (Copy attached). 2. The accused persons who are husband and wife are doing immigration business in the name and style of M/s Pelican



Immigration consultants, having their office at 120, First Floor, UGTI Corporate Park, Nr. HDFC Bank, Kudasan, Gandhinagar, Gujrat and came into contact with the complainants and lured the complainants into immigration consultancy. 3. All the accused persons assured the complainants that they will secure work permits using pre approved job offers/LMIA and Permanent Residency for the referred clients and in furtherance to this they appointed complainants as their agents vide above said letter dated 17 May, 2021 vide which the accused authorized the complainant to collect money (including statutory fees, lawyer fees charges and miscellaneous expenses) on behalf of the firm i.e. Pelican Immigration Consultants. Further the accused persons also promised to pay the complainants a referral fee of 1,00,000/- per successful case (Migration of client) 4. After hearing the about the referral fees and assurances of the accused persons, the complainants started soliciting clients who were interested in my migrating to Canada. In pursuance to this the complainants met Sh. Ajay Kumar son of Sh. Prem Chand resident of House No. 2101/5 Basant Vihar, Kalka, Panchkula who was interested in migrating to Canada The complainants introduced the Sh. Ajay Kumar to accused no.1 as a prospective immigrant and the accused no I promised the Sh. Ajay Kumar to migrate him to Canada. As promised by the accused persons



they lured Sh Ajay Kumar with a pre approved job offer /LMIA of Marriott Harbour Front Hotel, Halifax, Nova Scotia CANADA for the post of Rooms service supervisor (Copy attached) as they knew that Ajay Kumar was already working at good post in a Five star hotel. On hearing this offer from the accused Sh. Ajay Kumar immediately agreed to the offer and was also ready to pay the necessary charges. At the behest of the accused the complainant started processing the case of Sh Ajay Kumar for work permit and permanent residency as per the direction of Accused no.1. For processing the case the Ajay Kumar paid Rs. 10,00,000/- to the complainants being the authorized agents and same was transferred to the accused persons by the complainants. 5. After the receipt of payment on dated 29.09.2022 the accused shared a pre-approved job offer cum LMIA with the complainants in which the name of Sh. Ajay Kumar was incorporated. Thereafter the work permit visa was filed on 2 October, 2022 (copy of acknowledgement attached), in the mean while the accused kept on pressurizing for money assuring that the work from his end is complete and the complainants should make full payment. 6. Thereafter the accused no.1 demanded more money for the further processing of ie, ENDORSEMENT certificate from the province of Nova Scotia, CANADA. Just to extract money out of the complaints and their client a smudged copy of endorsement certificate was



shared with complainants. (Copy attached). Accused no 2 told the complainant that they will only get a clear copy of the certificate once Rs. 5,00,000/- is deposited with the accused. 7. It is worthwhile here to mention that accused no. 2 incessantly called complainants on dated 04.10.2022 for payments and further threaten to confiscate the already paid amount if a payment of 50,000/- is not paid in here account by the evening. Under this immense pressure the complainant Kanav Sharma deposited 50,000/- at odd hours in the account of accused no. 2 from his own pocket. 8. On dated 14.10.2022 the complainants received a copy of Medical examination instructions (COPY ATTACHED) which were issued on 5 October 2022, the complainant deliberately withheld the document just extract money out of the complainants and it is pertinent here to mention that the complainants were new in this field and were hesitant to ask for money from the client in between 4.10.2022 and 14.10.2022 they paid around Rs. 4,20,000 to the accused no.1 and 2 in hope that they will recover the same from the client once the dust is settled. After a payment of Rs 4,70,000/- and repeated request of the complainants the accused on dated 19.10.2022 shared a clear copy of endorsement certificate. (Clear copy attached). 9. On 30 October 2022, the complainants were given a crossed copy (copy attached) of visa approval (invalid for official use) cum passport request from



the embassy. After sharing the same over WhatsApp the accused no 2 clearly told the complainant in order to get the valid copy of the approval, the complainants or client need to make more payment as he owes pending payments to the Immigration Lawyer, the complainants were not left with any other option as they have already invested huge amount in the accused persons agreed to pay a sum of Rs. 11,50,000/-. But this time. the accused signed an agreement with the complainant Kanav Sharma (copy) attached) and handed over his original Adhaar card to the complainant as surety. (Copy attached) 10. After the receipt of payment the accused booked an appointment with VFS Chandigarh for Passport submission on 10 January, 18 January and 20 January 2023. On 10 and 18 January 2023 early morning it was conveyed by the Accused no. 6 that the appointment stands cancelled due to some internal issues. in the VFS and again on 20 January 2023 the same thing was conveyed but by time the complainant felt something unpropitious is going on and decided to visit the VFS office in Chandigarh and there the officials scanned the in the VFS provided by the accused it was revealed that all appointments emails (COPY ATTACHED) passport submission letter were all fake, forged and fabricated and were only prepared and shared to extract money out of the complainant and their client. 11. It is pertinent to mention here that the



accused person are processing the visa and work permits of various clients referred by the complainants and for the sake brevity the details of all clients are not being mentioned here. List of clients will provided to the authorities as and when required by the investigating agency and in all the cases forged and fabricated documents were provided by the accused persons and all the forged and fabricated documents are with the complainants. 12. Since the inception of this relationship (principal and agent) complainants have deposited a total amount of Rs. 2,23,77,614/- either in the Account of firm, accused no 1 i.e. Sh. Parth Jani and also in account of accused no 2 i.e. Smt. Rucha Jayesh Kumar Jani (Statement of Account in this regard is attached herewith) the amount was deposited through electronic transfer mostly, one few occasions amount was also deposited in Cash ic. IDFC Bank, Yes Bank, Axis Bank, HDFC Bank in Panchkula and also in Zirakpur Branches as is reflected in the above attached statement of Accounts, the cash deposit receipts in this regard is also attached. 13. During this course the complainant met all the employees and associates working in the firm and namely Sh. Mayur Kumar, Smt. Charm Joshi, Smt. Nikita Nayak, Manish Sharma Chinmay Prajapati who have contacted the complainants and asked for money on various occasions. It is worthwhile here to mention that the after the induction of complainants as agents the



accused brought his whole team for introduction on 30.07.2021 at Pro Brew Republic Sector 20 Panchkula and the all the expenses of that meeting was taken care by accused no.1. 14. For the purpose of processing of immigration and work permit visa cases to Canada the accused persons have been extorting money from complainants and their clients at various stages. As explained above the accused persons in connivance with each other with a common intention to extract/extort money out of the complainant and their clients created forged and fabricated in the form of LMIA/Job Offer from various companies in Canada in name of the clients, Passport Submission Request Letter. VFS/Appointment Submission Letter. Accused persons only for the purpose of cheating the complainants and his client created these documents and defrauded the complainants and their client amount to the tune of Rs. 2,23,77,614/- (Copy of the forged documents with regard to one of the client is herewith) attached 15. After the Complainants came to know that the documents provided by the accused persons are forged they confronted the accused persons in this regard where the all the accused persons admitted their guilt and assured the complainants that they will return the amount of Rs. 2,23,77,614/- in this regard there are number of Whatsapp Messages and recorded telephonic conversation in possession of the complainants, but the accused are delaying the matter on



one pretext or the other and had not refunded even a single penny of the aforementioned money. Hence, This Complaint. It is therefore, respectfully prayed that the accused persons who have forged valuable security and documents such as LMIA/Job Offer from a Company in Canada in name of the clients, Passport Letter, VFS/Appointment Submission Request Letter, Submission Letter for the purpose of cheating and defrauding the complainant with huge amount of money i.e. Rs. 2,23,77,614/- be booked for commission of offences under section 420, 406, 409, 467, 468, 471, 120B, 34 of the Indian Penal Code, 1860 as amended.”.

3. Learned counsel for the petitioner contends that the petitioner has been in custody since 21.03.2025 and has undergone an actual custody of more than 10 months. He submits that the investigation in the present case stands completed but charges have not been framed so far. He submits that there are total 31 witnesses cited by the prosecution which are also to be examined and thus, the trial is likely to take a long time in its conclusion.

4. Learned counsel for respondent-State, however, contends that the petitioner had forged the documents i.e. LMIA/job offer of Company in Canada in the name of the clients and thus defrauded numerous persons and collected money to the tune of Rs.2,23,77,614/-. She however does dispute that the case is triable by a Magistrate and the petitioner has undergone an actual custody of more than 10 months.

5. Having heard the learned counsel for the parties and taking into



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consideration the period of actual custody undergone by the petitioner i.e. more than 10 months, the case being triable by a Magistrate wherein the charges are yet to be framed and 31 prosecution witnesses are also to be examined 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.

6. 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.

7. 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.

8. 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

06.02.2026
Mangal Singh

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