



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

226

CRM-M-7254-2026

Date of decision : 09.04.2026

Date of uploading : 09.04.2026

Angrej Singh Gill

.....Petitioner

Versus

State Of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. P.S. Brar, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG, Punjab.

Mr. Namish Sodhi, Advocate for the complainant.

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.152 dated 30.05.2025 under Sections 406, 420 of the IPC and Section 201 of IPC added later on and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Rama Mandi, District Police Commissionerate.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

"FIR No.152 dated 30.05.2025, under section 406, 420 of IPC and 13 of Punjab Travel Professional (Regulation) Act, 2014, Police Station Rama Mandi, District Police Commissionerate.

"Application against agent Angerj Singh Gill and wife of Angerj Singh Gill, office New Smart Visa Service, Wazir Singh Enclave back side Johal Raman Mandi Jalandhar. Sir, I Hans Raj son of Karam Chand, resident of Kirpalpur Phagwara, District Kapurthala and I am dealing in wood. I



wanted to sent my son to America in year 2022, I talked to the above said agent on seeing his advertisement he asked Rs.35 lacs for sending my son to America I gave him Rs.33 lacs out of which I transferred Rs.11 lacs in his account and Rs.19 lacs were paid twice to the wife of Angerj Singh Gill in his office and Rs.5 lacs by both of them from my house, but he had not sent my son America, he sent my son to Africa, Lagos, Poland and Suriname Brazil, Bolivia, Peru, Aquadoor, Kaili Caurise, Panama, Canstariva, Niciragua, Headress, Guatemala and Mexico, from Mexico from he was sent back to India. This agent has been taking my son to different countries. My son has pass this time very difficulty whenever, I had gone to the office of this agent and asked about when my son will reach he used to put me off, this travel agent and his agents has taken passport from my son and tore it, passport number of my son is N2730179. I had paid Rs.30 lacs after taking the loan, kindly get my amount refunded and take legal action against the agents. Sd/- Hans Raj.”

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 18.11.2025. 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 was helping in pursuing his dream to go abroad and, in fact, went to different countries and stayed for a period of about 2 years. Learned counsel has further argued that, after culmination of the investigation, challan stands presented and culmination of the trial will take a long time. Thus, regular bail is prayed for.

4. 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 08.04.2026 in Court, which is taken on record.

4.1 Learned counsel for the complainant has urged that the petitioner had earlier entered into a compromise and had issued a cheque of Rs.5 lakhs, which was subsequently dishonoured. Learned counsel has further submitted that the petitioner is a habitual defaulter/offender and, therefore, ought not to be extended the concession of regular bail.



5. I have heard counsel for the parties and have gone through the available records of the case. Before delving into the matter in hand, it would be apposite to refer herein to a judgment of the Hon'ble Supreme Court titled as ***Gudikanti Narasimhulu and others vs. Public Prosecutor, High Court of Andhra Pradesh AIR 1978 SUPREME COURT 429,*** relevant whereof reads as under:

“10. The significance and sweep of Article 21 make the deprivation of liberty a matter of grave concern and permissible only when the law authorising it is reasonable, even-handed and geared to the goals of community good and State necessity spelt out in Article 19. Indeed, the considerations I have set out as criteria are germane to the constitutional proposition I have deduced. Reasonableness postulates intelligent care and predicates that deprivation of freedom- by refusal of bail is not for punitive purpose but for the bi-focal interests of justice-to the individual involved and society affected.

11. We must weigh the contrary factors to answer the test of reasonableness, subject to the need for securing the presence, of the bail applicant. It makes sense to assume that a man on bail has a better chance to prepare or present his case than one remanded in custody. And if public justice is to be promoted, mechanical detention should be close to ours, the function of bail is limited, 'community roots' of the, applicant are stressed and, after the Vera Foundation's Manhattan Bail Project, monetary suretyship is losing ground. The considerable public expense in keeping in custody where no danger of disappearance or disturbance can arise, is not a negligible consideration. Equally important is the deplorable condition, verging on. the inhuman, of our sub-jails, that the unrewarding cruelty and expensive custody of avoidable incarceration makes refusal of bail unreasonable and a Policy favouring release justly sensible.

12. A few other weighty factors deserve reference. All deprivation of liberty is validated by social defence and individual correction along an anti-criminal direction. Public justice is central to the whole scheme of bail law. Fleeing justice must be forbidden but punitive harshness should be minimised. Restorative devices to redeem the man, even, through community service, meditative drill, study classes or other resources should be innovated, and playing foul with public peace



by tampering with evidence, intimidating witnesses or committing offence while on judicially sanctioned 'free enterprise,' should be provided against. No seeker of justice shall play confidence tricks on the court or community. Thus, conditions may be hung around bail orders, not to cripple but to protect. Such is the holistic jurisdiction and humanistic orientation invoked by the judicial discretion correlated to the values of our constitution."

5.1. Further, the Hon'ble Supreme Court in a judgment titled as ***Gurcharan Singh vs. State (UT of Delhi) 1978 (1) SCC 118***, has held as under:-

"Where the granting of bail lies within the discretion of the court, the granting or denial is regulated, to a large extent, by the facts and circumstances of each particular case. Since the object of the detention or imprisonment of the accused is to secure his appearance and submission to the jurisdiction and the judgment of the court, the primary inquiry is whether a recognizance or bond would effect that end."

5.2. Furthermore, the Hon'ble Supreme Court in a judgment titled as ***Sanjay Chandra vs. CBI (2012) 1 SCC 40***, has held as under:

"21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it can be required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty."

22. From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some un-convicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, "necessity" is the operative test. In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances."



6. The petitioner was arrested on 18.11.2025 wherein after investigation was carried out and challan stands presented on 16.01.2026. Total 16 prosecution witnesses have been cited, but 4 has been partly examined till date. It is thus indubitable that culmination of trial will take its own time. 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.

6.1 As per custody certificate dated 08.04.2026 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 4 months and 19 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

09.04.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No