



CRM-M-10570-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-10570-2025
Decided on: 21.05.2026

Hardial Singh.....Petitioner

Versus

State of Punjab and anr.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ravinder Rana, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. R.S. Sidhu, Advocate for the complainant.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Hardial Singh	158	28.12.2024	420, 406 IPC	Saddar Patti	Tarn Taran

2. After hearing learned counsel for the petitioner on 24.02.2025 following was recorded:

- “1. xxx
2. Learned counsel for the petitioner, inter alia, contends that admittedly, the petitioner is working as a Travel Agent under the name and style of M/s Future Immigration Groups, since the year 2015. Petitioner admits the fact of receiving of the disputed amount of Rs.3,50,000/- from the complainant.



By referring to a document (Annexure P-2), counsel for the petitioner submits that at Clause 10 of the said document, it is specifically mentioned that in case, study visa file is withdrawn by the complainant, petitioner would not be liable to pay back the disputed amount.

3. *Counsel for the petitioner further contends that the said document was signed in English by the son of the complainant namely Davinderpal Singh, along with his own thumb impression. Apart this, there is a signature of the complainant – Sukhraj Singh himself, along with his thumb impression.*

Thus, counsel for the petitioner submits that broadly, it is a monetary dispute, as the complainant wants to receive back his amount, earlier paid to the petitioner, by giving it a colour of criminality. It is the fault of the complainant, who himself took away his file from the petitioner.

Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. *Notice of motion.*

5. *On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 29.04.2025.*

7. *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 be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*



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8. *Besides, the 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.”*

3. Continuing his submissions, learned counsel for the petitioner submits that in compliance with the order dated 24.02.2025 passed by this Court, petitioner has joined the investigation and has extended full cooperation. He, therefore, prays for confirmation of the interim anticipatory bail order.

4. On instructions, learned State Counsel submits that, in pursuance of the directions issued by this Court, petitioner joined the investigation, and as of now, his custodial interrogation is not required.

5. I have heard learned counsel for the parties and perused the paper-book.

6. The dispute regarding refund of the amount shall be examined during trial, if any evidence is chosen to be led/filed by the parties. Since, petitioner has already joined the investigation and custodial interrogation is no more required at this stage; ad-interim bail order dated 24.02.2025, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

It is made clear that petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. However, it is clarified that in case the passport or an affidavit regarding non-possession of a passport, if he does not possess



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one, is not submitted to the Investigating Agency or the Court concerned within a period of two weeks from today, the present order shall be deemed to be inoperative and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

21.05.2026
Rashmi

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