



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

104

CRM-M-15221-2026 (O&M)
Date of decision : 30.03.2026

Jitender Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Rahul Jaswal, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG Haryana.

Ms. Damanpreet Kaur, Advocate for the complainant.

SURYA PARTAP SINGH, J. (oral)

This petition for pre-arrest bail is the first petition, filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.383 dated 28.11.2025, for the commission of offence punishable under Sections 420 and 120-B of Indian Penal Code and Section 24 of Immigration Act, Police Station Matlauda, District Panipat.

2. In nut-shell the facts emerging from record are that the FIR of this case came into being at the instance of 'Pale Ram', hereinafter being referred to as 'complainant' only. It was stated by the above-named complainant that 'Jitender' (the petitioner herein) had come in his contact and he had shared with the complainant that he was in the business of sending people abroad i.e. to U.S.A. As per complainant as he wanted to



settle his sons in USA, and therefore, entered into a deal with Jitender for a sum of Rs.51,50,000/-. According to complainant he handed over the passports of his son to the accused Jitender and on his instructions on various occasions transferred the amount of Rs.2,00,000/-, Rs.13,90,000/-, Rs.6,00,000/- and Rs.7,90,000/- (total Rs.29,28,000/-) to the account of complainant. As per complainant, his son was sent to Brazil, where he was kept for several months, and thereafter, the accused forced the complainant to transfer his agricultural land *ad measuring* 10 Kanal 15 Marlas in favour of Amit Kumar. It has further been alleged that thereafter his son was sent, from Brazil to Sao Paulo, then to Ecuador, Panama and Costa Rica, Nicaragua, Guatemala and Mexico. As per complainant thereafter addition amount of Rs.2,00,000/- was charged by the accused Jitender and then his son was sent to USA, where he was apprehended by US Police and imprisoned. As per complainant ultimately his son was deported on September 2, 2025. By alleging that he had been subjected to cheating by the petitioner, action was sought against the petitioner and his co-accused.

3. It is the case of the prosecution that on receipt of abovementioned complaint formal FIR of this case was lodged and the investigation taken up.

4. **Notice of motion.**

5. Mr. Ramender Singh Chauhan, AAG Haryana appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with.



6. Ms. Damanpreet Kaur, Advocate has put in appearance on behalf of the complainant and filed Power of Attorney. The same be taken on record.

7. Heard.

8. It has been contended by learned counsel for the petitioner that the parties have already amicably settled their dispute, and that the offence is otherwise compoundable.

9. The abovementioned arguments of learned counsel for the petitioner have not been controverted by the learned counsel for the complainant.

10. The record has been perused carefully.

11. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i. that the offence is triable by the Court of Judicial Magistrate;
- ii. that there is no written agreement between the petitioner and the complainant;
- iii. that there is a question mark with regard to claim of the complainant that the deal was to send his son to America, as instead of boarding a plane for America, the son of complainant boarded it for Brazil;
- iv. that there is delay in filing the complaint as the alleged transactions had taken place in 2023 and 2024, but the FIR



has been lodged in November, 2025, i.e. after deportation of son of complainant from USA;

- v. that the dispute between the parties has already been amicably settled;
- vi. that benefit of pre-arrest bail has already been accorded to the co-accused;
- vii. that the investigation and trial is not likely to be concluded in near future;
- viii. that nothing has been left to be recovered from the possession of petitioner;
- ix. that the detention of petitioner in judicial lock-up is not likely to serve any purpose;
- x. that custodial interrogation of the petitioner is not likely to produce a fruitful result;
- xi. that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- xii. that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

12. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion that the petitioner is entitled for the benefit of pre-arrest bail, and that the present petition deserves to be allowed.

13. In view of the above-mentioned discussion, the present petition is hereby ***allowed*** and the petitioner is accorded the benefit of pre-arrest bail.

It is hereby directed that in the event of his arrest, the petitioner shall be



released on bail on furnishing bonds to the satisfaction of arresting officer.

The petitioner will join the investigation as and when called by the Investigating Officer. He shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

14. Pending miscellaneous application(s), if any, shall stand disposed of.

(SURYA PARTAP SINGH)
JUDGE

30.03.2026
Gaurav Thakur

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