

2026:PHHC:079070



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-27147-2026

Arveena Sharma

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	19.05.2026
2	The date when the judgment is pronounced	21.05.2026
3	The date when the judgment is uploaded on the website	21.05.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Harpal Singh Saini, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Rakeshinder Singh Sidhu, Advocate for the complainant.

MANISHA BATRA, J :-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of regular bail in case bearing FIR No. 114 dated 18.07.2025 registered under Sections 316(2), 318(4), 336-3, 338, 339, 340-2 and 178 of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) and Section 13 of Punjab Travel Professional Regulation Act, 2012 at Police Station Urban

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Estate, District Patiala.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant, Raman Kohli alleging therein that his wife Sonia Rani, was interested to settle abroad. On her asking, the complainant had contacted the petitioner, who was running an immigration agency under the name of Care UK International. The petitioner had represented to the complainant that her company was engaged in the business of sending people abroad. She told the complainant that there was a dire need for nursing staff in the UK and that she could get his wife recruited in nursing staff in the UK by getting her work visa issued. She demanded a sum of ₹10 lakh for this purpose. She induced the complainant to part with a sum of ₹8 lakh, but neither his wife was sent abroad nor the money given by him to the petitioner was returned. The petitioner even closed her office. The complainant alleged that on making inquiries, he had come to know that she had cheated several other persons. After registration of the FIR, investigation proceedings were initiated. The petitioner was arrested on 08.08.2025. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She is a 60 years old lady. The dispute between the parties is of civil nature which has been given a criminal colour. Her consultancy services are exclusively engaged in providing academic coaching and preparatory training to candidates desirous of clearing international

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qualifying examinations. She is not involved in any immigration consultancy business nor in procuring visas, work permits, etc. The complainant and his wife had approached her for the purpose of recruitment and doing a course in Healthcare Assistance offered by her institute. They had entered into a Recruitment and Education Process Agreement. The accused had agreed to the terms and conditions of that agreement. The total fee for that course was ₹7,50,000 for which the complainant had agreed to pay. The accusations levelled against her are totally false, and an attempt has been made to malign and defame her reputation. She is in custody for a period of over 09 months. She is not required for further investigation. She is on bail in other cases registered against her. The trial will take considerable time to conclude. No useful purpose would be served by detaining her in custody anymore. Her involvement in other cases cannot be considered to be a reason for denying the benefit of bail to her. It is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel assisted by learned counsel for the complainant has argued that the petitioner is a habitual offender, being involved in several other cases of similar nature. There are chances of her committing similar offences, if extended the benefit of bail. She had duped the complainant of a huge amount of money. It is, therefore, argued that she does not deserve to be extended the benefit of bail.

5. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

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6. The allegations make out a *prima facie* case for commission of the subject offences against the petitioner. However, now she has been in custody since 08.08.2025. The investigation has been completed. The trial will obviously take time to conclude as charges have not yet been framed against her. The subject offences are triable by Magistrate. Her involvement in other cases cannot be considered to be a reason for denying the benefit of bail to her. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentencing. The object of jail is to secure the appearance of the accused during the trial and it can neither be punitive nor preventive and the deprivation of liberty has been considered as a punishment. In view of the discussion made above, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore and she has made out a case for his release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal/surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

21st May, 2026

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Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |