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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33042-2025
DECIDED ON: 24.03.2026

VICHITER SINGH ALIAS BACHITTAR SINGHPETITIONER

VERSUS

STATE OF PUNJAB AND ANRRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. R.K. Choudhary, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J (ORAL)

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
Vichiter Singh @ Bachittar Singh, aged 28 years	111	20.09.2024	420, 120-B of IPC and Section 24 of Immigration Act	Koom Kalan	Ludhiana

2. After hearing the submissions addressed by counsel for the petitioner, on 23.06.2025, following order was passed:-

“2. Learned counsel for the petitioner submits that, as per the allegations, petitioner is accused of having assured the complainant namely, Jagir Singh, that his son would be sent to Australia, and on that pretext, allegedly obtained a sum of Rs.14,15,000/- from him. Counsel, however, contends



that the individual who was to be sent abroad, namely Bachittar Singh, is in fact son of the brother-in-law (sala) of Sucha Singh, yet neither Sucha Singh nor Bachittar Singh has initiated any criminal proceedings or lodged an FIR in this regard.

It is further submitted that the FIR was registered on 20.09.2024, based on Complaint No.203627 dated 27.07.2023, but the FIR itself is silent on crucial details, such as the exact date or mode of payment of the alleged amount. This, as per the petitioner, casts serious doubt on the veracity of the allegations. Counsel argues that there is no truth in the allegations and a false case has been registered to settle the personal scope by the complainant. Thus, petitioner prays for the grant of anticipatory bail.

4. *Notice of motion.*

5. *On advance notice, Mr. Manjinder Singh Bhullar, 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 20.08.2025.*

7. *In the meanwhile, petitioner shall not be arrested. However, question of joining of investigation of the petitioner would be examined on the next date of hearing after reveiwing the status report which is yet to be filed by learned State counsel.”*

3. As per the allegations, an amount of Rs.14,50,000/- was paid by the complainant-Jagir Singh, for the purpose of sending his son to Australia.

It is alleged that the said amount was paid at the instance of the petitioner and was deposited in different bank accounts, besides certain payments made in cash.

4. Learned counsel for the petitioner contends that present case is one of mistaken identity. He submits that even in the impugned order dated 13.06.2025 (Annexure P-6), paragraph No.9 records that petitioner is involved in another case of a similar nature arising out of FIR No.35 dated 17.05.2022, registered under Sections 420 and 120-B IPC at Police Station City Balachaur, District SBS Nagar. However, the said FIR



pertains to one Bachiter Singh, aged about 36 years, son of Amarjit Singh, who has already been granted the concession of anticipatory bail by this Court, vide order dated 18.03.2024 passed in CRM-M-6411-2024 (Annexure P-8). Therefore, counsel prays for grant of anticipatory bail to the petitioner in the present case.

5. On the other hand, learned State counsel has filed status report dated 19.08.2025 in the Court today and the same is taken on record. Registry is directed to tag the same at the appropriate place on the file.

6. Learned State counsel is unable to dispute the factual assertions made by learned counsel for the petitioner before this Court today. However, he submits that since petitioner is a relative of the complainant, there is no possibility of any misunderstanding in naming the petitioner, and it was at the instance of the petitioner that complainant transferred the amounts and also made payments in cash.

Learned State counsel places reliance upon the details of the payments as mentioned in paragraph No.12 of the status report.

7. He further submits that petitioner assured the complainant that he could arrange for the complainant's son to be sent to Austria for employment for a consideration of Rs.5,50,000/-. Acting upon this assurance, complainant transferred a total sum of Rs.5,19,000/- in instalments into various bank accounts provided by the petitioner. Petitioner represented that the complainant's son would first travel to Dubai, where his identity documents would be prepared, and thereafter he would be sent to Austria. Subsequently, on the petitioner's demand,



complainant paid an additional amount of Rs.9,00,000/- after the creation of the Dubai ID. However, despite having received a total sum of Rs.14,50,000/-, petitioner neither arranged any *visa* nor facilitated the onward journey to Austria, nor refunded the amount. Thus, petitioner dishonestly induced the complainant to part with his money and misappropriated the same. Thus, he prays for dismissal of the present petition.

8. This Court has heard the submissions addressed by learned counsel for the parties and has also perused the record available before it.

9. It is noticed that one of the main accused, namely Kuldeep Singh, in whose bank account, allegedly at the instance of the petitioner, certain amounts were transferred by the complainant, has already been granted the concession of bail by the Court of learned Additional Sessions Judge, Ludhiana, vide order dated 12.05.2025 (Annexure P-5).

10. In view of the above, this Court finds no justification to decline the relief of anticipatory bail to the petitioner, particularly in view of the fact that not a single penny is shown to have been deposited in the bank account of the petitioner by the complainant.

11. **Accordingly, present petition is allowed,** and petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory 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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12. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

13. With the directions issued here above, present petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

24.03.2026
Lavisha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>