



CRM-M-33132-2026

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

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CRM-M-33132-2026
Date of decision : 01.07.2026

HARJEET SINGH

... PETITIONER

Versus

STATE OF UT CHANDIGARH

.. RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. K.S. Rathour, Advocate for the petitioner
(through VC).

Mr. Manish Bansal, P.P., UT, Chandigarh and
Mr. Shubham Mangla, Addl.P.P., UT, Chandigarh and
Ms. Diksha Sharma, Advocate for the respondent.

H.S. Grewal, J.(Oral)

1. This petition has been filed under Section 482 of BNSS, 2023 (erstwhile Section 438 Cr.P.C.) seeking anticipatory bail to the petitioner in case FIR No.111 dated 28.07.2025, registered under Section 420 IPC (corresponding to Section 318(4) of BNS, 2023) and Section 24 of the Immigration Act, at Police Station Sector 34, Chandigarh.

2. The case of the prosecution is that the complainant, who was running M/s Heaven International Consultancy Pvt. Ltd., entered into an agreement with "The Burj Overseas" for processing overseas work visas of 52 persons and paid ₹29,16,000/- for the said purpose. It is alleged that the petitioner along with others failed to process the visa applications, they did not return 19 passports entrusted for visa stamping and supplied fake insurance bonds and offer letters.



3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the dispute arises out of a contractual arrangement, thereby being purely civil in nature. It is submitted that the petitioner had duly processed about 40 Canada visa files in terms of the agreement and there was never any dishonest intention on his part. It is further submitted that all the passports have already been returned and nothing remains to be recovered from the petitioner. He also submits that only an amount of Rs.7,33,025/- was retained by the petitioner while rest of the amount was handed over to the World Wing Immigration consultancy. It is also submitted that the petitioner is ready and willing to join investigation and cooperate with the investigating agency.

4. *Per contra*, learned counsel for the respondent/UT, Chandigarh, while referring to the status report filed by way of an affidavit of Ms. Gurjeet Kaur, Deputy Superintendent of Police, SDPO-South, Chandigarh opposes the prayer for grant of anticipatory bail to the petitioner. He submits that the petitioner, along with co-accused, cheated the complainant and other persons on the false promise of arranging overseas work visas. It is submitted that 19 passports entrusted for visa stamping were not returned for a considerable period and fake insurance bonds and offer letters were allegedly supplied to certain clients. It is further submitted that out of the total amount of ₹29,16,000/-, a sum of ₹7,33,025/- was specifically credited into the personal bank account of the petitioner and that the petitioner was also the proprietor of World Wing Immigration Consultancy. It is further submitted that the investigation is still in progress and the custodial interrogation of the petitioner



is necessary to ascertain his exact role, trace the money and collect the relevant evidence.

5. I have heard learned counsel for the parties and perused the record.

6. The allegations against the petitioner are that he, along with the co-accused, induced the complainant to pay a substantial amount on the assurance of arranging overseas work visas. It is alleged that the visa applications were not properly processed, the passports entrusted for visa stamping were not returned for a considerable period and fake insurance bonds and offer letters were supplied to some of the clients. The investigation further reveals that out of the total amount of ₹29,16,000/-, a sum of ₹7,33,025/- was credited into the personal bank account of the petitioner. It is also alleged that the petitioner was the proprietor of World Wing Immigration Consultancy, through which part of the transaction was stated to be carried out.

7. Furthermore, the investigation is still in progress and the exact role of the petitioner, the flow of money, the genuineness of the documents allegedly supplied to the clients and the involvement of the other accused persons are yet to be fully investigated. Therefore, this Court is of the view that the custodial interrogation of the petitioner is necessary for a fair and proper investigation.

8. It is well settled law that the concession of anticipatory bail is an extraordinary remedy meant for exceptional cases and is not a matter of routine. Reference in this regard may be made to the judgment of the Hon'ble Supreme Court in the case of **Gurbaksh Singh Sibbia Vs. State of Punjab**, AIR 1980 SC 1632, wherein it has been held as under :-



“(1) The power under [Section 438](#), Criminal Procedure Code, is of an extra-ordinary character and must be exercised sparingly in exceptional cases only;
(2) Neither Section 438 nor any other provision of the Code authorises the grant of blanket anticipatory bail for offences not yet committed or with regard to accusations not so far levelled.
(3) The said power is not unguided or uncanalised but all the limitations imposed in the preceding Section 437, are implicit therein and must be read into Section 438.
(4) In addition to the limitations mentioned in Section 437, the petitioner must make out a special case for the exercise of the power to grant anticipatory bail.
(5) Where a legitimate case for the remand of the offender to the police custody under [Section 167 \(2\)](#) can be made out by the investigating agency or a reasonable claim to secure incriminating material from information likely to be received from the offender under [Section 27](#) of the Evidence Act can be made out, the power under Section 438 should not be exercised.
(6) The discretion under Section 438 cannot be exercised with regard to offences punishable with death or imprisonment for life unless the court at that very stage is satisfied that such a charge appears to be false or groundless.
(7) The larger interest of the public and State demand that in serious cases like economic offences involving blatant corruption at the higher rungs of the executive and political power, the discretion under Section 438 of the Code should not be exercised; and
(8) Mere general allegation of mala fides in the petition are inadequate. The court must be satisfied on materials before it that the allegations of mala fides are substantial and the accusation appears to be false and groundless.”

9. Keeping in view the seriousness of the offence and the role attributed to the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.
10. Consequently, the petition is, hereby, dismissed.
11. However, it is clarified that the observations made hereinabove would not have any bearing on the merits of the case.

July 01, 2026
Sonia

(H.S.GREWAL)
JUDGE

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