

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

135

2026:PHHC:038616



CRM-M-56121-2025 (O&M)
Date of decision: 12.03.2026.

AMIT ARORA

...Petitioner(s)

VERSUS

STATE OF U.T. CHANDIGARH

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Manik Makkar, Advocate,
for the petitioner.

Mr. Shubham Mangla, Addl. Public Prosecutor,
for respondent/U.T. Chandigarh.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, (Section 439 Cr.P.C.) seeking grant of
regular bail to the petitioner in case bearing FIR No.87 dated 15.05.2024,
under Section(s) 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860,
(Sections 467, 468 and 471 of IPC deleted later on), registered at Police
Station Central Sector 17, Chandigarh.

The aforesaid FIR was registered on the complaint made by
Priyanka alleging that petitioner, who is stated to be the owner of My
Immigration Solutions, Sector 17, Chandigarh, allured her by representing

that he could facilitate the admission of her daughter Janvi in Canada on a student Visa and accordingly, acting upon such assurance, the complainant paid a sum of Rs.14,71,000/- approximately. However, neither the admission of the daughter was secured nor any VISA was obtained. Further, the amount handed over by the complainant has also not been returned. It was also alleged by the complainant that her daughter also sent an email to the college for verification of the letter of acceptance however, the student number mentioned therein was found to be incorrect.

Learned counsel appearing on behalf of the petitioner contends that as per the allegations, the petitioner along with Vikash Sharma are owner of My Immigration Solutions, Sector 17, Chandigarh, and have allegedly cheated the complainant. He contends that the petitioner is only an employee of the said firm and is in custody since 07.08.2024. It is submitted that no recovery has been effected from the petitioner and that offences are triable by the Judicial Magistrate. He further contends that petitioner has already undergone an actual custody of more than 01 year and 07 months in the present case and thus deserves to be released on bail.

Learned Additional Public Prosecutor while appearing on behalf of the respondent-State, on the other hand, contends that there are multiple transactions between the account of the company and that of the petitioner and that these transactions are of nearly more than Rs.1 Crore. He, however, does not dispute the period of actual custody undergone by the petitioner and the stage of trial where only 09 witnesses out of 16 witnesses cited by the prosecution have been examined so far.

Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the petitioner which is

nearly 01 year and 07 months in a Magisterial trial as well as the stage of trial where only 09 witnesses out of 16 witnesses cited by the prosecution have been examined so far and also that there would be arguable issue with respect to the involvement of the petitioner in commission of the offence and the extent to which the benefit has been availed by him, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

March 12, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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