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

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Date of Decision: 30.03.2026

Amit Arora

..... Petitioner

Versus

State of UT, Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

Mr. Manish Bansal, PP, UT, Chandigarh with
Ms. Sarasmi Budhiraja, Advocate.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for grant of regular bail to the petitioner in a case FIR No.82 dated 08.08.2024, registered under Sections 420, 120-B IPC, at Police Station Industrial Area, Chandigarh.

2. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant Jaswinder Singh. It was alleged by the complainant that he intended to send his daughter-in-law to Canada, for which a deal was struck for a sum of Rs.8.5 lacs. A sum of Rs.8,29,500/- was transferred in the account of M/s My Immigration Solution, of which Amit Arora (petitioner) was the proprietor. However, neither his daughter-in-law was sent abroad nor the amount was returned to him. Thus, request was made to take legal action against the accused person. On the registration of the FIR, the investigation commenced. The petitioner was arrested on 07.08.2024. On completion of investigation, the challan was presented and on framing of charges, the trial commenced. The petitioner approached the Court of learned Sessions Judge, Chandigarh praying for grant of regular bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail application filed by



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the petitioner vide order dated 12.08.2025. Hence, the petitioner has approached this Court praying for grant of bail by way of filing the present petition

3. It has been vehemently contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He has submitted that the alleged amount of Rs.8,29,500/- was received by co-accused, namely, Vikas Sharma. He submits that the petitioner is not the beneficiary. He submits that the petitioner was arrested in this case on 07.08.2024 and since then he is behind the bars, however, the prosecution is intentionally not examining the prosecution witness so as to prolong the incarceration of the petitioner. He, thus, submits that fundamental right of the petitioner is miserably defeated. He submits that though the petitioner is involved in multiple cases, however, he is on bail in 12 cases. He, thus, submits that in the overall facts and circumstances of the case, the petitioner deserves to be granted regular bail.

4. *Per Contra*, learned State counsel has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner is a habitual offender, who is involved in 19 cases. He submits that the petitioner in conspiracy with the co-accused, duped the complainant for an amount of Rs.8,29,500/-. He submits that complicity of the petitioner surfaced during the investigation. On instructions, he submits that no witness has been examined out of total 12 prosecution witnesses. He has placed on record the custody certificate of the petitioner.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioner alongwith the co-accused has been alleged



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to have duped the complainant for an amount of Rs.8,29,500/-. It has been contended before this Court that the said amount has been paid to co-accused Vikas Sharma. The petitioner was arrested on 07.08.2024. The custody certificate would show that the petitioner has suffered incarceration of 01 year, 06 months & 05 days as on 29.03.2026. It further shows that though the petitioner is involved in 20 cases, however, in 03 cases he is on bail, whereas, in one case he has been acquitted.

6. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficient long time. Keeping in view the arguments raised by both the sides and perusing the record, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

8. It is being clarified that in case the petitioner does not furnish bail/surety bonds within a period of one week from today, his custody will not be counted in the present case after one week.

9. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

30.03.2026

sharmila

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No

(RAJESH BHARDWAJ)
JUDGE