



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-62860-2025 (O&M)

Date of decision: 09.01.2026

Lakhwinder Singh @ Sunny

...Petitioner(s)

VERSUS

State of Haryana and another

...Respondent(s)

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

Present :- Mr. Manoj Kumar, Advocate for the petitioner(s).

Ms. Chhavi Sharma, AAG Haryana.

Mr. Sham Lal Saha, Advocate
for complainant-respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for the grant of regular bail to the petitioner(s) in case bearing FIR No.308 dated 22.07.2025, registered under Section(s) 120-B, 344, 370, 406, 420 of the Indian Penal Code, 1860 and Section 24 of the Emigration Act, 1983 at Police Station Chandimandir, Panchkula.

2. Vakalatnama on behalf of complainant-respondent No.2 has been filed today in the Court and the same is taken on record.

3. Briefly summarized, the facts of the present are that: -

“A complaint bearing No. 122 dated 08.04.2025 and 387 dated 15.04.2025 was received in DCP Office, Panchkula moved by Shyam Lal son of late Shri Ramsharan wherein it is stated that he belongs to a poor family and he has two sons and a



daughter. Kuldeep son of Gurdial Singh is his relative. One day Kuldeep and Gurdial Singh came to his house and told him that he should send his elder son to America. Nowadays, Kuldeep works in sending children abroad, but he told them that he does not want to send his child in the wrong way. Kuldeep and his father Gurdial said that they will send him in the right way. After their repeated requests, he agreed. When he talked to them about the money, they said that it would cost Rs.48 lakhs. He told them that he will talk to one of his relatives and family members and thereafter he will inform them. When he talked to his relatives and family members they assured every possible help while saying that his son would go to America in a right way (legal manner). He told them that Kuldeep is his relative and he would not do anything wrong with them. Thereafter he gathered money from relatives and family members and after calling Kuldeep and his father Gurdial at his home, he gave them Rs.45 lakhs and undertook to pay remaining Rs.3 lakhs after some time in the presence of Jaspal son of Pyara Ram and Ashok Kumar son of Jagdish. However, despite lapse of much time, whenever he used to ask for his son he put off the matter while saying that he would just about to reach and he is in the mid way. He did not let him talk to his son. One day Kuldeep and his father again visited his house and demanded money but he showed inability. When he asked as to how much money he



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would have to give to them, they asked Rs.15 lakhs while saying that if he does not give them money, they would kill his son. Out of fear, he sold his house and some jewellery of his wife and gave Rs.15 lakhs to them but till date he has no clue with regard to whereabouts of his son Kuldeep aged about 25 years. Action against the wrong doer was prayed for.”

4. Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case and he has no concern with the allegations that have been levelled. He contends that the name of the petitioner appeared in the disclosure of the co-accused/Kuldeep Singh. It is submitted that the petitioner used to arrange travel visas for and on behalf of co-accused/Kuldeep Singh and in the said course, there are certain financial transactions; however, the petitioner did not provide the travel visa in the present case, but instead, it was arranged by one Sahil. He contends that, since there are no financial transactions or allegations against the petitioner in relation to the travel dispute, the petitioner has been wrongly arrayed as an accused. He further contends that the petitioner has been in custody since 18.08.2025 and has undergone an actual custody of nearly 05 months.

5. Learned State counsel on instructions from the Investigation officer, however, contends that there is a misrepresentation of facts by the petitioner. As a matter of fact, there is evidence that discloses the involvement of the petitioner not only from the WhatsApp chats between the petitioner and co-accused/Kuldeep Singh but also that the visa had in fact been obtained by the petitioner himself and only the ticketing had been done



by co-accused/Sahil. She contends that the petitioner as well as other co-accused had assured the emigration of Mandeep Singh through the Dunki route and that the whereabouts of Mandeep Singh are still unknown. She further submits that the petitioner is involved in two other criminal cases as well. She contends that the investigation in the present case is complete and a final report has been filed.

6. Counsel appearing on behalf of the complainant contends that he has got a video footage wherein the petitioner acknowledges his liability, which establishes that he was acting in collusion with co-accused/Kuldeep Singh and was a part of the entire transaction.

7. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

8. It is evident from a perusal of the above that even though no specific role had been attributed to the petitioner at the time of registration of the FIR, however, co-accused/Kuldeep Singh nominated the petitioner as an accused for having secured the visa for the petitioner during the course of investigation. The WhatsApp chats between co-accused/Kuldeep Singh and the petitioner have also been claimed as retrieved, wherein they were found exchanging messages regarding sending Mandeep Singh, son of the complainant, abroad via the Dunki route. Further, it is also not in dispute that the whereabouts of Mandeep Singh are not known; hence, there is a serious apprehension with respect to the well-being of Mandeep Singh as well. The claim made by the petitioner that money transactions between him



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and co-accused/Kuldeep Singh, pertained to earlier transactions is a matter that requires examination during the course of trial and it cannot be held at this stage that he had no concern with the entire transactions and was just a fence sitter. There is *prima facie* material available on record to establish his involvement in the commission of the offence.

9. The petitioner, in collusion, has formed a network of illegal human-trafficking which has more often disclosed harrowing tales by the victims. It also often comes to light that the individuals are treated inhumanly and are even killed enroute. Even though, the person opting for an emigration is expected to be vigilant, however, the failure to do the same, does not by itself exonerate the perpetrators of their offence. They have pushed innocent people to unexplained dangers and on a path of no return. Whereabouts of a young boy are unknown and the petitioner bids to claiming no relation. Such nexus is the new social crime which has destroyed the household financially, socially as well as by loss of lives. The same needs to be curbed.

10. Finding no merit, the present petition is ***dismissed***.

(VINOD S. BHARDWAJ)
JUDGE

09.01.2026
Mangal Singh

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