

2026:PHHC:042747



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

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Date of decision: 18.03.2026

CRM-M-67421-2025

SURJIT SINGH ALIAS SURJIT SINGH BHATTIPetitioner

VERSUS

STATE OF PUNJABRespondent

CRM-M-66311-2025

SUMIT WADHWAPetitioner

VERSUS

STATE OF PUNJABRespondent

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

Present: - Mr. Prince Sharma, Advocate
for the petitioner in CRM-M-67421-2025.

Mr. Arvind Bansal, Advocate for
Mr. Sudhir Paruthi, Advocate for the petitioner
in CRM-M-66311-2025.

Mr. Mohit Kapoor, Senior DAG, Punjab.

Mr. Nikhil K. Vashisht, Advocate and
Mr. Shrenik Jain, Advocate for the complainant.

VINOD S. BHARDWAJ, J. (Oral)

Both these petitions having been filed by the two accused in the
same FIR, are being decided by a common order.

The petitioner(s) herein are seeking regular bail in case bearing

FIR No. 92 dated 15.07.2025, registered under Section(s) 316(2)/318(4)/143/308(2) of BNS, 2023 at Police Station Bhogpur, Jalandhar, Tehsil & District Jalandhar.

3. For the facility of reference, the facts are being referred to from CRM-M-67421-2025. The facts relevant for adjudication of the present petition is that the complainant, Kuldeep Kaur, lodged a complaint with the police on 03.06.2025 alleging that her husband had migrated to England, her daughter was married, and her son, Jaswinder Singh, was unmarried. It is alleged that the complainant came into contact with the petitioner, Surjit Bhatti, at a Church situated at Kala Bakra, Bhogpur, where she expressed her intention to settle her son abroad. The petitioner is stated to have introduced her to co-accused Sumit Wadhwa, representing him to be an expert travel agent capable of facilitating the migration of her son to the United States of America. It was further represented that a portion of the consideration would be payable in advance and the balance upon procurement of visa and arrival of the complainant's son abroad. It is the case of the prosecution that in February 2024, the petitioner introduced the complainant to co-accused Sumit Wadhwa, who assured that Jaswinder Singh would be settled in America. A deal was struck for a total consideration of Rs.36,00,000/-, out of which half the amount was demanded in advance along with the passport of Jaswinder Singh. On 23.03.2024, a sum of Rs.20,000/- was demanded for biometrics, which was transferred through digital mode by Jaswinder Singh to the petitioner. Thereafter, on 06.04.2024, co-accused Sumit Wadhwa informed the complainant that the visa had been approved and forwarded a PDF copy of the same. It is further alleged that the said visa was forged and fabricated

and on the basis thereof, the accused persons induced the complainant to pay a sum of Rs.18,00,000/- on 18.04.2024. At the time of the said transaction, co-accused Sumit Wadhwa is alleged to have remained present in a Safari vehicle, while the petitioner, along with certain other persons, collected the amount from the complainant. The transaction was reportedly recorded by Jaswinder Singh. The complainant, believing the visa to be genuine, sought time to arrange the remaining amount. The prosecution further alleges that the accused persons took possession of a vehicle bearing registration No. PB-09-AH-7813 as security and obtained signatures of the complainant on certain blank papers and affidavits. It is also alleged that the petitioner took an Acer laptop from the complainant, which was not returned. Thereafter, the accused persons induced the complainant to sell her residential house to co-accused Sumit Wadhwa through one Monu, from whom the complainant had earlier borrowed Rs.11,00,000/- and had executed a General Power of Attorney as security. The accused persons assured that the said liability would be cleared and the remaining sale consideration would be paid to the complainant. It is further the case of the prosecution that on 28.04.2025, the accused persons arranged the travel of Jaswinder Singh from Amritsar to Mumbai, representing that he would subsequently be sent to the United States. On 29.04.2025, he was taken to Mumbai Airport, where co-accused Sumit Wadhwa allegedly took CAD 3000/- from him, and an additional sum of Rs.20,000/- was transferred to another individual facilitating the process. On 30.04.2025, Jaswinder Singh was taken to Delhi and provided with a ticket for Bangkok. On 01.05.2025, it is alleged that an unknown associate of the accused took possession of Jaswinder Singh's luggage and later returned it,

upon which certain strips of Norethisterone tablets were found inside. Upon contacting the petitioner, Jaswinder Singh was advised to purchase a new luggage bag, which he did. Thereafter, he was instructed not to board the flight to Bangkok and to wait at the airport. Subsequently, he was directed to stay at a hotel, where he remained for a few days. It is further alleged that thereafter the accused persons ceased all communication with Jaswinder Singh. Having exhausted his resources and received no assistance, he returned home on 05.05.2025. Despite repeated attempts by the complainant to contact the accused persons, no response was received. On these allegations, it is asserted that the accused persons, in furtherance of a common intention, cheated the complainant by inducing her to part with substantial sums of money on the basis of a forged and fabricated visa, thereby committing the offences in question.

4. Learned counsel appearing on behalf of the petitioner, Surjit Singh @ Surjit Singh Bhatti, submits that the petitioner has been falsely implicated in the present case and has no concern whatsoever with the allegations levelled by the complainant. It is contended that the petitioner has no connection with the complainant's daughter or her deceased son, and that no monetary transaction, as alleged, ever took place between the petitioner and the complainant-respondent. It is further submitted that the petitioner is in custody since 07.08.2025 and that there has been an inordinate and unexplained delay in the registration of the present FIR. It is additionally contended that on the same set of allegations, another FIR bearing No. 72 dated 18.06.2025, registered under Section 108 of the Bharatiya Nyaya Sanhita at Police Station Sadar, Phagwara, District Kapurthala, had already

been lodged, in connection with the suicide of the complainant's son. In the said case, the petitioner has been granted anticipatory bail. Learned counsel further submits that the investigation in the present case already stands concluded and no further custodial interrogation of the petitioner is required. It is also pointed out that the trial has not yet commenced and the prosecution has cited as many as 24 witnesses. In such circumstances, it is contended that the conclusion of the trial is likely to take a considerable length of time.

5. Counsel for the petitioner-Sumit Wadhwa submits that the present case has been instituted with an oblique motive. It is submitted that co-accused Sumit Wadhwa had purchased a residential property from one Mukesh Arora, son of Subhash Arora, to whom the complainant had previously sold the said property and the present FIR has been registered with the sole intent of obstructing the lawful possession of the said property and to exert undue pressure upon the petitioner and the co-accused. It is further submitted that prior to the registration of the present FIR, the petitioner had already instituted a civil suit against the complainant–respondent, wherein an order of stay was granted on 20.03.2025 by the Civil Court. Learned counsel contends that the present FIR, registered subsequently on 18.06.2025, is a retaliatory measure arising out of the said civil dispute. It is also contended that the allegations pertaining to the alleged payment of Rs.36,00,000/- on the pretext of facilitating the migration of the complainant's son to the United States has been exaggerated and that even as per the investigation conducted, the alleged dispute pertains only to a sum of approximately Rs.19,00,000/-. It is further contended that there is no documentary evidence whatsoever to substantiate the alleged monetary transactions.

6. Learned State Counsel, however, submits that the complainant had levelled specific allegations against the petitioner(s) herein to the effect that a sum of Rs. 18 lakhs had been transferred by her on 18.04.2024 and at that time co-accused Sumit Wadhwa was present in a Safari vehicle, while the present petitioner, Surjit Singh @ Surjit Singh Bhatti, along with four to five other persons, actively participated in collecting the said amount from the complainant's side. It is further submitted that, pursuant to the said transaction, a visa was handed over to the complainant party, which was subsequently found to be forged and fabricated. Learned State Counsel contends that the allegations have been substantiated in the investigation and it has emerged that the petitioner, in connivance with co-accused Sumit Wadhwa (petitioner in CRM-M-66311-2025), has committed a fraud to the tune of Rs.19,40,000/-, which includes an amount of Rs.1,00,000/- allegedly spent towards the stay of Jaswinder Singh in various hotels.

7. Additionally, the petitioner had also taken possession of a Hyundai Venue car bearing Registration No. PB-09-AH-7813 from the respondent-complainant and got executed a registered sale deed of house of the respondent-complainant in respect of the complainant's house in favour of the accused persons. However, despite such transactions, the needful was not done, thereby substantiating the allegations of cheating and fraudulent conduct. Learned State Counsel, however, does not dispute that in the separate FIR registered in relation to the suicide of Jaswinder Singh, the son of the complainant, the petitioner(s) have already been granted the concession of anticipatory bail. The period of custody in the present case as well as the stage of trial are also not disputed.

8. I have heard learned Counsel appearing on behalf of the respective parties and have gone through the documents appended alongwith the present petition.

9. Without commenting on the merit and taking into consideration the nature of allegations levelled against the petitioner, the period of custody already undergone, as well as the stage of the proceedings wherein the trial is yet to commence and as many as 24 witnesses are cited by the prosecution, I deem it appropriate to enlarge the petitioner(s) on regular bail to the satisfaction of the trial Court.

10. The instant petitions are allowed and the petitioner(s) are ordered to be released on regular bail on them furnishing requisite bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate, concerned.

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

12. 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.

(VINOD S. BHARDWAJ)
JUDGE

MARCH 18, 2026
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No