

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

129

2026:PHHC:033435



CRM-M-69164-2025 (O&M)
Date of decision: 05.03.2026.

PRINCE

...Petitioner(s)

VERSUS

STATE OF HARYANA AND ANOTHER

...Respondent(s)

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

Present :- Mr. Sukesh Kumar Jindal, Advocate, with
Ms. Nihar Bala, Advocate, and
Mr. Lalit Goel, Advocate,
for the petitioner.

Ms. Chhavi Sharma, AAG, Haryana, assisted by
P/SI Mandeep, P.S. Assandh, Karnal.

Mr. Kamal Chaudhary, Advocate,
for respondent No.2.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.398 dated 12.07.2025, under Section(s) 406 and 420 of
the Indian Penal Code, 1860 and Section 24 of the Emigration Act, 1983,
registered at Police Station Assandh, District Karnal.

Tersely, one Vishal presented a complaint against Deepak and
Prince, submitting that Deepak introduced him to Prince who does the work

of immigration. On being assured by Deepak he asked Prince for going abroad i.e. Germany. Prince told him that there was no direct flight to Germany and he had to go via Dubai. For this purpose, the complainant transferred various amounts online or in the bank account of some Satinder and Prabhjot on various dates on being asked by Deepak and Prince. Further, the payment of Rs.1,50,000/- was made in cash to father of Prince and various amounts were also transferred online as per Prince's instructions. The complainant was sent to Russia from where he was to be sent further but he and his colleagues were arrested by Army on the border of Belarus and left at the border of Latvia where they were tortured. Latvian Army again left him in the forest of Belarus from where they were again taken to one Rampal. He then talked to Prince but the latter kept on assuring that he would be sent to Germany. But when he was staying there, he was told by some Indian people that there was no provision of German Visa. Thereafter, they were kidnapped and on arrival of police, kidnappers fled. Vishal and his colleagues had a word with Prince that either he would send them to Germany or call them back to India and return their money. However, Prince flatly refused and said that either they could go through donkey route or remain there. They then came to know that Prince is a donker and further tried to cross the route through donkey method but remained unsuccessful and finally Rampal told them that they should go back to their home. Some people died while trying to pass the border. On this his family members asked him to come back. They met Prince and pressurized him to book the return ticket for the complainant on which his cousin gave Rs. 1,50,000/- to Prince after which he booked the ticket and on 23.03.2024 he returned back to India. When he came back, he came to know that during

this period Prince had cheated his family members and had received Rs. 23 lakhs from them through various means either online or cash. Further, Prince orally agreed to return their money and on various dates, he returned Rs. 5 lakhs but now he has refused to make the remaining payment. Suresh Kumar (father of Prince) further threatened them and said that they could do whatever they want and they will save themselves with the power of money. Hence, a prayer has been made for taking strict legal action.

3 Learned counsel appearing on behalf of the petitioner contends that the petitioner was arrested on 25.08.2025 after obtaining his production warrants and a sum of Rs.10,000/- was allegedly recovered from him. He contends that false allegations and accusations have been levelled against the petitioner about having been paid Rs.23 lakhs whereas during the police investigation, payment of only Rs.14 lakhs could be shown. He contends that out of the said amount of Rs.14 lakhs, a sum of Rs.5 lakhs has already been returned by the petitioner. He contends that even though the case set up by the official respondent is that money had been transferred in certain different accounts, however, no such person has been nominated as an accused. He contends that the petitioner is not involved in any other similar case and that only one criminal case under the Arms Act has been registered against the petitioner. It is contended that investigation in the case is complete. He further submits that out of 16 witnesses cited by the prosecution, none has been examined so far. He further contends that the case is triable by the Judicial Magistrate, hence, the petitioner be enlarged on bail.

4 State counsel does not dispute the facts as noticed above.

5 Counsel for the respondent No.2-complainant, however,

contends that a large number of persons were sent abroad under the false pretext of ensuring their travel through legitimate documents, however, they were trapped as they were being migrated through a donkey route and hence, 16 persons died enroute.

6 A specific query has been put to the State counsel as to whether any other case where some other persons having died in the incident has been reported and as to whether statement of any such victim/injured has been recorded, State counsel, on instructions from the assisting police officials submits that no such complaint of any person having died in the incident has been received so far and there is no other allegation in the present case, of the nature as has been suggested by counsel for respondent No.2-complainant.

7 Having heard the learned counsel for the parties and taking into consideration the nature of allegations, noticing the custody period of 06 months, the offences being triable by the Court of Judicial Magistrate, non-involvement of the petitioner in any other similar case and that the investigation proceeded on the premise of the petitioner having received a sum of Rs.14 lakhs (out of which Rs.5 lakhs have already been returned), the present petition is allowed. The petitioner is ordered to be released on bail on furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

8 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.

9 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 05, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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