

2026.PHHC.008757



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

208

CRM-M-69082-2025 (O&M)

Date of decision: 21.01.2026

Udit Dhiman @ Udit Kumar**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Kartik Dhiman, Advocate
for the petitioner.

Ms. Himani Arora, DAG, Haryana.

Mr. Anmol Sharma, Advocate
for the complainant.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), the petitioner seeks grant of anticipatory bail in case arising out of FIR No. 76 dated 20.03.2025, registered under Sections 406, 420, 468, 471, 201, 476 and 120-B of IPC and Section 24 of the Immigration Act at Police Station Mullana, District Ambala.

2. As per the allegations, accused Sukhdarshan Singh @ Lalli had introduced the complainant Navjot Singh, who was interested in settling abroad, with the present petitioner and co-accused Jaswinder Singh @ Billa and Vikas, who were running an immigration firm in partnership under the name of GRP Immigration and were engaged in sending people abroad. The petitioner and co-accused had assured the complainant to send and settle him down in Australia, subject to his spending an amount of Rs.25 Lakhs. An

2026.PHHC.008757



amount of Rs.5 Lakhs had been given to them on 23.04.2024. The petitioner and co-accused had taken the passport, bank statements and other documents from the complainant. The remaining amount of Rs.20 Lakhs was agreed to be given to one M/s Radha Krishna Trading Company by 05.05.2024. On 30.04.2024, on representation made by the petitioner and co-accused that his visa had been issued and he had to go to Delhi, the complainant had gone to Delhi but he was made to stay in some hotel and was asked to deposit an amount of Rs.20 Lakhs in cash, which was got deposited by his family members. However, neither any visa was issued to the complainant nor the amount of money paid by him was returned to him by the petitioner or co-accused. The petitioner and co-accused kept on making excuses till 19.05.2024. Thereafter, they started demanding another amount of Rs.10 Lakhs. By alleging that he had been duped at the hands of the petitioner and co-accused, the complainant prayed for taking action in the matter. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Ambala but the same had been dismissed, vide order dated 28.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. A compromise has been effected between him and the complainant. Co-accused has been extended benefit of bail. The ingredients for commission of subject offences are not at all attracted qua him. No money was given by the complainant to him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be

2026.PHHC.008757



effected from him. No useful purpose would be served by detaining him into custody. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that the allegations against the petitioner are serious in nature. His custodial interrogation is required for proper investigation in the matter. Hence, it is urged that the petition is liable to be dismissed.

5. Power of attorney has been filed on behalf of the complainant. Learned counsel for the complainant has affirmed the fact that a compromise has been arrived at between the complainant and petitioner and also that an affidavit (Annexure P-3) has been signed by the complainant in this regard. He has no serious objection to allowing the present petition.

6. This Court has heard the submissions made by learned counsel for the parties.

7. The petitioner in connivance with co-accused is alleged to have made the complainant to part with an amount of Rs. 25 Lakhs on the premise of sending and settling him down in Australia by issuance of requisite visa in his favour. However, he did not get the said visa issued to the complainant and even did not return the money to the complainant. The petitioner has claimed that now a compromise has been effected between him and complainant and has drawn attention of this Court to Annexure P-3, which is an affidavit executed in this regard. In the considered opinion of this Court, no relevance can be attached to this document at this stage. Moreso, on account of such compromise, the petitioner cannot be considered to be innocent. However, there is no material on record to show that any amount of money had been

2026.PHHC.008757



given to the petitioner by the complainant by way of any bank transaction or otherwise. Given the nature of the allegations and the circumstances peculiar to the case, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. Pre-trial incarceration, even otherwise, should not be a replica of post-conviction sentencing. In view thereof, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to his joining investigation by appearing before the Investigating/Arresting Officer within a period of ten days from today or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on bail subject to his/her satisfaction. The petitioner shall abide by the terms and conditions as envisaged under Section 482(2) of BNSS.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

21.01.2026

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No