



CRM-M-69455-2025

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

104(1)

CRM-M-69455-2025

Date of Decision: 20.02.2026

AJAY @ AJAY SAROHA

.....PETITIONER

Versus

STATE OF HARYANA

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present Mr. Rahul Jaswal, Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Omkar Chauhan, Advocate
for the complainant.

SURYA PARTAP SINGH, J. (Oral):

1. This is a petition for pre-arrest bail, filed by the petitioner with regard to a case arising out of FIR No.383 dated 28.11.2025 under Sections 420 and 120-B of the Indian Penal Code and Section 24 of the Immigration Act, Police Station Matlauda, District Panipat.

2. In nut-shell the facts emerging from record are that the FIR of this case came into being at the instance of Pale Ram, hereinafter being referred to as complainant only. It was stated by the complainant that Jitender, accused had come in his contact and he had shared with the complainant that he was in the business of sending people abroad i.e. to U.S.A. As per complainant as he wanted to settle his sons in USA, he entered into a deal with Jitender for a sum of Rs.51,50,000/-. According to complainant he handed over the passports of



his son to accused Jitender and on his instructions on various occasions transferred Rs.2,00,000/-, Rs.13,90,000/-, Rs.6,00,000/- and Rs.7,90,000/- (total Rs.29,28,000/-) into the account of complainant. As per complainant, his son was sent to Brazil, where he was kept for several months, and thereafter, the accused forced the complainant to transfer his agricultural land admeasuring 10 Kanal 15 Marlas in favour of Amit Kumar. It has also been alleged that thereafter his son was shifted from Brazil to Sao Paulo, from Sao Paulo to Ecuador and then Panama and then to Costa Rica, Nicaragua, Guatemala and Mexico. As per complainant thereafter Rs.2,00,000/- were charged by the accused Jitender and then his son was sent to USA, where he was apprehended by US Police and imprisoned. As per complainant ultimately his son was deported on September 2, 2025. By alleging that he has been subjected to cheating by the petitioner, action was sought against the accused Jitender and his co-accused.

3. It is the case of the prosecution that on receipt of above-mentioned complaint formal FIR of this case was lodged and the investigation taken up.

4. Heard.

5. The record has been perused carefully.

6. A perusal of the record shows that there are several factors which are required to be taken into consideration at this stage. Those factors are:-

- i) that the offence is triable by the Court of Judicial Magistrate;
- ii) that there is no written agreement between the petitioner and the complainant;



- iii) that the entire allegation in the complaint are targeting the accused Jitender and Amit;
- iv) that the only allegation against the petitioner is that a part of the amount paid by the complainant was transferred into his account;
- v) that there is specific allegations in the complaint that deal was struck with Jitender and not by the petitioner;
- vi) that there is a question mark with regard to claim of the complainant that the deal was to send the son of complainant to America, as instead of boarding a plane for America, the son of complainant boarded the plane for Brazil.
- vii) that there is delay in filing the complaint as the alleged transactions had taken place in 2023 & 2024, but the FIR has been lodged in November, 2025, after the deportation of son of petitioner from USA.
- viii) that nothing is left to be recovered from the possession of petitioner;
- ix) that the entire evidence to be collected by the Investigating Agency is documentary in nature
- x) that custodial interrogation of the petitioner is not likely to serve any fruitful purpose;
- xi) that the investigation and trial of the case is not likely to be concluded in near future;
- xii) that there is nothing on record to show that while on interim anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- xiii) that there is nothing on record to show that while on interim anticipatory bail, the petitioner will not participate/cooperate in the investigation.

7. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a conclusion



that the petitioner is entitled for the benefit of anticipatory bail, and that the present petition deserves to be allowed.

8. In view of the above-mentioned discussions, the present petition is hereby *allowed* and the petitioner is accorded the benefit of anticipatory bail. It is hereby directed that in the event of his arrest, the petitioner shall be released on bail on furnishing bonds to the satisfaction of arresting officer. The petitioner will join the investigation as and when called by the Investigating Officer. He shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(SURYA PARTAP SINGH)
JUDGE

20.02.2026
vipin

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