



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CRM-M-71508-2025 (O&M)

Date of decision: 22.01.2026

Laxman Prasad

...Petitioner(s)

VERSUS

State of Haryana and another

...Respondent(s)

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

Present :- Mr. Vikas Bali, Advocate for the petitioner(s).

Ms. Aditi Girdhar, AAG Haryana with
ASI Gurmej Singh.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.130 dated 23.09.2025, registered under Section(s) 406, 420 (Sections 467, 468 added later on) of the Indian Penal Code, 1860 at Police Station Sector 9, Ambala City, District Ambala.

2. FIR in the present case was registered on the complaint of Mayank Goud. The same reads thus:-

“1. That I, Mayank Goud son of Shri Anil Sharma, resident of House No. 551, Durga Nagar, Ambala City, District Ambala, am a permanent resident.

2. That I wanted to go abroad on a work permit and for that purpose I was making efforts and talking to different persons.

During that time my maternal uncle Deepak Sharma contacted the above-named accused Prakash Joshi (nephew of Laxman



Prasad), who told my maternal uncle that his uncle, namely Laxman Prasad, does the work of sending needy persons to Europe, and that the persons sent by him easily earn about Rs. 1,50,000/- to Rs. 2,00,000/-per month abroad. He stated that he had earlier also sent many needy persons abroad who are living comfortably and earning money. Believing the said statements of the accused, I agreed to go abroad for a job through the accused.

3. That in November 2023, the above-named accused (Laxman Prasad), giving reference of my maternal uncle, came to my house at Ambala and met me and told me that he and his uncle Laxman Prasad have a good business of sending people abroad / to Bulgaria, and he took my original necessary documents and told me that the total expenditure for sending me to Europe would be Rs. 15 lakhs, from which he would get all the necessary documents prepared and would send me abroad and arrange a good job for me.

4. That he said that out of Rs. 15 lakhs, you give Rs. 10 lakhs now and the remaining Rs. 5 lakhs after reaching abroad. Trusting his words, I gave my consent and as per the directions of the accused, on 1st and 2nd December 2023, I transferred an amount of Rs. 3,00,000/- from my father's bank account to the bank account of the accused Laxman Prasad, and told him to



proceed with the process of sending me abroad and that I would give more money.

5. That thereafter, the accused called me on my mobile number and stated that he would arrange my Spain work visa and that its embassy fee was Rs. 61,000/-, which amount had to be paid the same day. Believing his words, I transferred an amount of Rs. 61,000/- from the bank account of my younger brother Shashank Goud to the bank account of the accused Laxman Prasad in the name of embassy fee, and again told him to proceed with the process and that I would give more money.

6. That thereafter, on 13-05-2024, the accused Laxman Prasad gave me a fake visa of Morocco and stated that he would send me to Spain via Morocco and that he had agents there who would provide full assistance, and asked me to give him Rs.80,000/- more so that he could expedite the work. Believing him, I transferred an amount of Rs. 80,000/- from the bank account of my younger brother Shashank Goud to the bank account of the accused Laxman Prasad.

7. That thereafter, on the next day, the accused Laxman Prasad stated that he had to arrange my ticket and asked me to give Rs. 2,00,000/- more. Accordingly, I transferred Rs. 50,000/- and Rs. 50,000/- i.e. a total of Rs. 1,00,000/- from the bank account of my younger brother Shashank Goud to the bank account of the accused on 14-05-2024 and 15-05-2024. Thus, till then, a



total amount of Rs. 6,40,000/- had been paid by me to the accused. He assured that within one month he would send me to Spain via Morocco and would get me employed on a good job.

8. That after the lapse of one month, when no response was received from his side, I contacted him, whereupon the accused Laxman Prasad started evading the matter. When I asked him to return my money, he stated that he would soon send me to Spain and asked me not to worry.

9. That thereafter, on 12-08-2024, the accused Laxman Prasad gave me a Dubai visa and stated that there was a direct flight from Dubai to Spain through which he would send me to Spain. He further stated that the entire process would take two months.

10. That after two months, when he did not answer my calls, I contacted him through WhatsApp, whereupon he stated that the work of sending me to Spain could not be done and that he would soon return my money. On WhatsApp, he sent me photos of two cheques of Rs. 18 lakhs dated 29-01-2025 and stated that these cheques would be credited to his bank account, and when he received the amount, he would return my entire money.

11. That thereafter, on 04.02.2025, the accused Laxman Prasad proposed to get a Kazakhstan work visa and stated that it would be done within 20 days. Since I did not want to go to Kazakhstan, I told him that I wanted to go only to Europe and



that he should provide me only a Europe visa. On this he asked me to give him time till March 2025.

12. That thereafter, when I contacted the accused Laxman Prasad on 6th March 2025, his phone was found switched off. I tried to meet him at his places, but he was not found anywhere. I then contacted the father of the accused, namely Shankar Dutt, who also did not give me any satisfactory reply. Thereupon I stated that I would initiate legal action against the accused Laxman Prasad.

13. That thereafter, on 25-03-2025, the accused Laxman Prasad came to my house at Durga Nagar and stated that he would arrange a work visa for Russia, which comes under Europe, and asked me to give Rs. 3,00,000/- more in addition to Rs. 6,40,000/- already paid, and that the remaining Rs. 5,00,000/- would be paid after reaching Russia and getting employment. Accordingly, I paid Rs. 3,00,000/- in cash to the accused at Ambala. The accused assured that within one month he would send me to Russia.

14. That thereafter, on 10.05.2025, the accused sent me a Russia tourist visa on my WhatsApp, which was valid till 13-07-2025, and stated that I would have to pay him Rs. 3,00,000/- more only then he would process my work. I stated that first I would check the visa online. When I got the visa checked, it turned out to be a tourist visa instead of a work visa.



15. That thereafter, I contacted the accused and informed him about the tourist visa, whereupon he stated that I would have to pay him Rs. 3,00,000/- more only then he would do my work. Thus, in this manner, a total amount of about Rs. 10,00,000/- went to the accused Laxman Prasad. I clearly told him that he was repeatedly making a fool of me and asked him to return my money as I did not want to go abroad. On this, the accused Laxman Prasad got enraged and threatened to kill me.

16. That, Sir, due to the aforesaid acts committed by the accused, I and my family are frightened and are in mental shock.

17. That the accused is a person of criminal nature and has threatened me by stating that he has good connections with police and political persons and that I cannot harm him.

18. That there is a complete danger to the life and property of me and my family from the accused, and the accused may cause any untoward incident with me or my family in future.

19. That if in future any untoward incident happens with me or my family, the responsibility thereof shall be of the accused. Therefore, it is most humbly prayed that my aforesaid amount be recovered from the accused and returned to me, strict legal action be taken against the accused for the aforesaid allegations, and protection of life and property be provided to me and my family members. I shall be highly obliged.”



3. Learned counsel for the petitioner contends that the petitioner has been in custody since 27.10.2025. It is contended that, as per the prosecution case itself, the complainant is the nephew of one Deepak Sharma, who was a friend of the co-accused, namely Parkash Joshi. It is submitted that it was Parkash Joshi who had assured Deepak Sharma of making the requisite arrangements for sending the complainant abroad to Spain. It is contended that an amount of Rs.5,41,000/- is stated to have been deposited in the account of the petitioner. However, the said amount was merely routed through the petitioner and was thereafter forwarded to Parkash Joshi, who hails from the same village as the petitioner and various visas were obtained by Parkash Joshi for the complainant. Counsel submits that the petitioner, at no point in time, gave any assurance to the complainant regarding procurement of a visa, securing employment or facilitating emigration. The complainant, Mayank Goud, was known to Parkash Joshi directly through his uncle, Deepak Sharma and not through the petitioner. It is thus contended that there is no material on record to suggest any active or direct participation of the petitioner in the alleged offence. He further contends that the petitioner does not suffer from any criminal antecedents and the entire case is based upon documentary evidence, for which further custodial detention of the petitioner is not warranted.

4. Learned counsel for respondent-State, on instructions from ASI Gurmej Singh, contends that various amounts were received in the bank account of the petitioner. She, however, does not dispute that Parkash Joshi



223

CRM-M-71508-2025 (O&M)

is engaged in the business of a Travel Agent and that as per the statement recorded during investigation, Deepak Sharma, who is uncle of the complainant-Mayank Goud, is an acquaintance of Parkash Joshi himself. She further does not dispute that the petitioner is not involved in any other criminal case and that he has been in custody since 27.10.2025.

5. Having heard the learned counsel for the parties and taking into consideration the period of actual custody undergone by the petitioner coupled with the fact and that he is not involved in any other criminal case and bearing in mind that the case is triable by a Magistrate and is likely to take a long time to conclude, I deem it fit to allow the instant petition.

6. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate concerned.

7. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

8. 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

22.01.2026
Mangal Singh

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