



IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

310

CRM-M No.72333 of 2025  
Date of decision: 17.02.2026

Randeep Kundal @ Rishu ... Petitioner

Vs.

State of Punjab and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Bharat Puri, Advocate,  
for the petitioner.

Mr. Durgesh Garg, AAG, Punjab,  
for the respondent-State.

----

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

| FIR No. | Dated      | Police Station                                           | Sections                                                      |
|---------|------------|----------------------------------------------------------|---------------------------------------------------------------|
| 0290    | 29.11.2025 | Division No.8, District Police Commissionerate Jalandhar | 318(4) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”) |

2. Brief facts relevant for the purpose of disposal of this petition

2026:PHHC:024247



are that the aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Madhav Sally alleging therein that he was willing to settle in Canada and had approached the accused Ajay Sehgal who was an immigration agent and who had assured to send him in Canada on work permit. The accused Ajay Sehgal represented to him that he along with his partner Rakesh @ Rakhi was running a concern with the name of Venture of Pacific at Mohali. The accused Ajay Sehgal then induced him with the accused Rakesh and some other persons. It was settled that the complainant would pay a sum of Rs.18 lakhs for issuance of work permit for Canada in his favour. On 17.07.2024, on asking of Ajay Sehgal, he had transferred an amount of Rs.10 lakhs in the account of the company. On 15.01.2025, on asking of accused Ajay Sehgal, the complainant handed over an amount of Rs.5 lakhs to a person who claimed himself to be the employee of the company. His medical tests were got done and assurance was given to send him abroad shortly but thereafter accused Ajay Sehgal stopped responding to his calls. His office at Mohali was also closed. By alleging that he was cheated at the hands of the accused, he prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings were initiated. During investigation, it was revealed that cheque for an amount of Rs.34,500/- which was given by the complainant to accused Ajay

2026:PHHC:024247



Sehgal, was credited in the account of one M/s Bala Ji Traders which was infact operated by the present petitioner thereby establishing his involvement with the co-accused. It was also revealed that the co-accused Ajay Sehgal had initially induced the complainant with false assurance of arranging Canadian work permit and accompanied him to the office of Venture of Pacific at Mohali thereby facilitating the illegal transaction. The petitioner was infact acting as a conduit between the complainant and the principal accused thereby providing initially financial channel for the cheated amount by remaining associated throughout the transaction. Apprehending his arrest, the petitioner moved an application for anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Jalandhar vide order dated 10.12.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, it was co-accused Rakesh who was owner of Venture of Pacific and an agreement was executed between the co-accused and the complainant. All the payments were received by co-accused Ajay Sehgal and Rakesh. The petitioner had never met the complainant nor any inducement whatsoever had been made by him. He has been implicated as an accused since cheque for a sum of Rs.34,500/- was given by the accused Ajay Sehgal in the name of his firm to repay the friendly loan of Rs.1 lakh that was taken by the accused Ajay Sehgal and otherwise he had no role to pay in th entire transaction. He is ready to

2026:PHHC:024247



join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

5. Status report has been filed. Learned Assistant Advocate General, Punjab has argued that there are serious allegations against the petitioner who was a conduit between the complainant and the accused Ajay Sehgal and Rakesh, who had duped the complainant of a huge amount of money. Cheque of amount of Rs.34,500/- was credited in the account of his firm and was encashed and this fact showed his complicity in the crime. For conducting proper and thorough investigation in the matter, the custodial interrogation of the petitioner is required. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner was not named in the FIR by the complainant. There is no allegation that the petitioner had made any inducement to the complainant to part with any amount of money or had assured to send him abroad by issuance of work permit visa. He has been linked with the case on account of the fact that cheque of an amount of Rs.34,500/- as got issued by the complainant was credited in his bank account. The petitioner has offered an explanation for the same. Given the nature of the allegations as levelled in the FIR which contain no allegation of making any inducement by the petitioner and the circumstances peculiar

2026:PHHC:024247



to the case, this Court is of the considered opinion that no case for custodial interrogation of the petitioner is made out. As such, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrendering before the Investigating Officer/Arresting Officer within a period of ten days from the date of passing of this order and joining investigation. On his surrender within that period, he shall be released on bail by the Investigating Officer/Arresting Officer on furnishing personal/surety bonds to his/her satisfaction. He shall also follow these conditions:-

- (i) the petitioner shall cooperate with the investigation and shall appear before the Investigating officer/Arresting officer as and when required during the course of investigation.
- (ii) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.
- (iii) He shall not commit any similar offence while on bail.
- (iv) He shall not leave the country without prior permission of the Court.
- (iv) He shall deposit his passport if any, with the jurisdictional Magistrate/trial Court.

8. In case of violation of any of the above conditions, the



jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

9. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

|                           |                        |
|---------------------------|------------------------|
| <b>17.02.2026</b>         | <b>(MANISHA BATRA)</b> |
| manju                     | <b>JUDGE</b>           |
| Whether speaking/reasoned | Yes/No                 |
| Whether reportable        | Yes/No                 |