

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

118

2026:PHHC:050733



CRM-M-72103-2025 (O&M).

Date of decision: 02.04.2026.

AMRITPAL SINGH

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

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

PRESENT Mr. Harpal Singh Sidhu, Advocate,
for the petitioner(s).

Dr. (Ms.) Savi Nagpal, AAG, Punjab.

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.206 dated 04.10.2024, under Section(s) 406 and 420 of
the Indian Penal Code, 1860, registered at Police Station City Rajpura, District
Patiala.

Custody certificate placed on record.

The Registry is directed to tag the same at an appropriate place.

Aforesaid FIR was registered on the statement of Arshdeep Singh
son of Gurmukh Singh, resident of Village Rajgarh, Police Station Shambu,
Tehsil Rajpur, District Patiala, which reads thus: -

"I am Arshdeep Singh, son of S. Gurmukh Singh, resident of Village Rajgarh, Police Station Shambu, Tehsil Rajpura, and District Patiala. We are two brothers, my younger brother is Gurdeep Singh. My parents work as labourers. I work in a private factory. Jaswinder Singh, a resident of Village Jharmari, Patiala, also works in the same factory, who told me that the aforesaid agent Amritpal Singh works on sending boys abroad to Germany. So, I took the mobile number and address of the said Amritpal Singh from him. I contacted Amritpal Singh on the said mobile number regarding sending my younger brother Gurdeep Singh abroad to Germany. He said that he would arrange the German visa and work permit for my brother and would charge Rs.12,00,000 (Twelve Lakh Rupees). He claimed to have sent many boys to Germany. We were convinced by his words. In December 2023, I met Amritpal Singh at Gagan Chowk, Rajpura, showed him my brother's documents, discussed the matter, and gave him Rs.1,00,000 in cash. I had borrowed this money from my paternal aunt (Bua). After few days, Amritpal Singh called and said that my brother Gurdeep Singh's German visa was approved, and we should come to Amritsar Airport. So, I took my brother Gurdeep Singh and went to Amritsar Airport on 31.12.2023, where we met Amritpal Singh, who did not show us any visa. On 01.01.2024, Amritpal Singh sent my brother Gurdeep Singh to Dubai instead of Germany. Approximately one week later, Amritpal Singh called and said that Gurdeep Singh has reached Dubai and asked us to transfer Rs.12,00,000 to his HDFC Bank Account No. 50100366526397, IFSC HDFC0003376, only then would he send Gurdeep Singh to Germany. So, on 10.01.2024, I transferred Rs. 6,00,000 from my SBI Bank Account No. 65174169986, Branch Shambu Kalan, to Amritpal Singh's said account. But even then, Amritpal Singh did not send my brother Gurdeep Singh to Germany. After a few days, Amritpal Singh called again and asked us to deposit

another Rs.5,00,000 into his account. Due to his repeated insistence, I again, on 25.01.2024, transferred Rs.5,00,000 from my father Gurmukh Singh's SBI Bank Account No.65218934656, Branch Shambu Kalan, to Amritpal Singh's said account. But Amritpal Singh did not send my brother to Germany. My brother Gurdeep Singh was kept in a room in Dubai for about 1 month. After that, Amritpal Singh stopped answering our calls. Upon repeated calling, Amritpal Singh said that we should deposit Rs.1,00,000 for expenses and call Gurdeep Singh back and he would return all our money. So, we arranged the money, contacted our brother, sent the money, and called him back to India. We have been demanding our money back from Amritpal Singh for a long time, but he keeps making false promises, saying, "I will return the money. Please do not take police action." Whenever we talk to Amritpal Singh on the phone, his grandmother and father, Sukh Darshan Singh, say that they have sent many boys abroad to Germany and if the work, does not materialize, they will return all our money. We belong to a poor family. Amritpal Singh, in consultation with his family-his grandmother and father, Sukh Darshan Singh-convinced us with false promises to send my brother Gurdeep Singh abroad to Germany, but instead sent him Dubai and took Rs.13,00,000, committing fraud and cheating. A case should be registered against him, and strict legal action should be taken. He must have cheated many other people. Legal action should be taken against Amritpal Singh and his family members, and I should be given justice, and my money should be returned. Thanks."

Learned counsel appearing on behalf of the petitioner contends that the allegation against the petitioner is that he had taken a sum of ₹13 lakhs from the complainant so as to send his brother Gurdeep Singh to Germany and instead the said Gurdeep Singh was sent to Dubai. It is submitted that it

is primarily a commercial dispute and there is nothing on record on the basis whereof, it may be gathered that the petitioner's intention from the inception of the relationship between the parties was to cheat the complainant. He further contends that the alleged offences are triable by Magistrate and the petitioner is in custody since 24.10.2025 and has already undergone an actual custody for a period of more than 5½ month. It is also submitted that conclusion of trial is likely to take a long, as none of the witnesses, out of total 16 cited by the prosecution, has been examined so far.

State counsel, on the other hand, contends that the petitioner is involved in 03 other cases of similar nature, as is evident from the custody certificate dated 01.04.2026 placed on record. She, however, does not dispute the period of custody already undergone by the petitioner and the stage of the trial where out of 16 witnesses cited by the prosecution, none has been examined so far.

Counsel for the petitioner contends that in one of the aforesaid cases, the petitioner has compromised the matter by returning the money to the complainant of said case.

Having heard the counsel for the respective parties and without commenting anything on the merits of the present case and further taking into consideration the nature of allegations levelled against the petitioner, the stage of the trial, the period of custody already undergone by him, coupled with the arguable issues with respect to the making out of the ingredients of the offence alleged and also bearing in mind that it is a case triable by Judicial Magistrate, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on his

furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

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.

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.

April 02, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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