



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

201

**CRM-M-25368-2025
Date of decision: 01.10.2025**

SUKHWANT SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR. J.(Oral)

1. Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail in case FIR No.268, dated 26.12.2021, under Sections 406/420 of IPC, 1860 and Section 24 of Immigration Act, registered at Police Station Tibba, District Ludhiana.
2. Reply dated 28.07.2025 by way of affidavit of Sumit Sood, PPS, Assistant Commissioner of Police, East, Ludhiana has been filed in Registry on behalf of respondent-State and the same is taken on record.
3. The present case was registered on the basis of complaint given to the police by one Sunil Kumar against petitioner Sukhwant Singh for cheating in the name of arranging a visa. It has been alleged that in May, 2018 his friend Charanjit Singh told him that in case he wants to go abroad, he could introduce him to an agent Veer Singh @ Sukhwant Singh (petitioner) and thereafter they met him at the house of his maternal uncle's son, Om Prakash, where they introduced them to Sunita Rani, daughter-in-law of his maternal uncle. Veer Singh told that



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he was arranging a visa for Sunita Rani to enable her to go to Canada and he also assured to arrange a visa for him for going to Poland, for which he demanded Rs.8 lakhs. He also promised to arrange work permit and salary of \$2000 with food and accommodation and that his flight will be scheduled within one week of May, 2018. He took his passport and Rs.50,000/- in cash but later on after showing his visa-papers via email, demanded another Rs.50,000/- to be deposited in the account of his wife Rajni at PNB on 21.05.2018 and same was deposited by him. He got signed blank affidavits on the pretext that it was required by the Poland Company to prepare the documents and thereafter, he issued signed blank affidavits and handed over the same along with Rs.50,000/-. He had again charged Rs.12,000/- for his medical examination fee. Thereafter, he received a call that his work and visa permit have been received and demanded another sum of Rs.5,500/-, which was transferred in the account of his wife. Thereafter, he told him that his work permit visa and flight tickets were ready for 06.09.2018 and that on 05.09.2018 he was to depart from Delhi. However, on 05.09.2018, he waited for him but he did not answer his call. Thereafter, they went to his house and he told him that he could not attend the call as he was busy in a Court hearing and promised to arrange fresh visa and flight. Thereafter, he again started demanding money from him and thereafter, he gave him work permit of one Pehlham 15 Cromwell place, London (UK) and when he inquired that his work permit is for Poland and why a letter of company of England has been issued, he told him that these papers are not correct and he kept on promising to send him abroad. However, he neither arranged any flight, visa nor returned the money, passport or blank affidavits and stopped responding to his calls. On 24.12.2018, he received a



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courier, which contained his passport only and neither there was any visa nor any ticket or work permit and thereafter, he neither returned the amount, nor sent him abroad and he sought action against him.

4. I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

5. Learned counsel for the petitioner contended that FIR in question was registered in the year 2021 and now after a gap of 4-5 years, petitioner is sought to be arrested. He has already returned the amount, if any, to the victim in they year 2018. Petitioner is ready to join the investigation and to abide by the conditions that may be imposed by the Court. Nothing is to be recovered from his possession and benefit of anticipatory bail be extended in his favour.

6. On the other hand, learned State counsel has opposed the bail and argued that petitioner has committed a heinous offence and in view of the gravity of the offence, he does not deserve the concession of anticipatory bail.

7. It is well settled that the power to grant anticipatory bail is of extraordinary nature and is to be sparingly used with circumspection. This court is fortified by the observations made in case of 2022 (4) RCR (Criminal) 968 titled as "**Sachin @ Sachin Ahuja Vs. State of Punjab**". In case of SLP (Crl.) 7940 2023 titled as "**Shri Kant Upadhay Vs. State of Bihar**", Hon'ble Apex Court has held that grant of interim protection or protection from arrest to an accused in a serious case may lead to miscarriage of justice and may hamper investigation to a great extent as it may sometimes lead to tampering or destruction of evidence. The court is cognizant of the fact that power of anticipatory bail is to be exercised in exceptional circumstances as it may cause some hindrance to normal flow of investigation which would undermine the case of the prosecution.



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8. The allegations against the petitioner are serious in nature. He has duped the victim of a sum of Rs.1,84,600/-, which was paid on different dates, either in cash, or in the account of his wife to send him to Poland. However, he sent a fake visa to the complainant through E-mail and he sent the documents through courier but the packet contained only his passport. He also arranged a fake job letter and flight ticket and thus committed fraud with the complainant and cheated him of a huge sum of money on the pretext of sending him abroad. Such type of offences are increasing day-by-day and must be dealt with deterrent hand. Therefore, this Court is of the considered opinion that petitioner does not deserve the concession of bail and accordingly bail application is hereby dismissed.

(YASHVIR SINGH RATHOR)
JUDGE

01.10.2025
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No