



CRM-M-28167-2025 (O&M)

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

S.No.210(2)

CRM-M-28167-2025 (O&M)

Date of Decision : 19.8.2025

Harish Kumar

... Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

Mr. Gauravdeep Singh Dhaliwal, AAG, Punjab

Mr. Varun Sharma, Advocate,
for the complainant.

YASHVIR SINGH RATHOR, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case having FIR No.13 dated 26.4.2025 registered under Sections 316(2), 318(8), 61(2) of BNS, 2023 and Section 24 of Immigration Act at Police Station NRI, Jalandhar.

2. Present case was registered on the basis of the complaint given to the police by Jaswinder Singh in his capacity as power of attorney holder of his sister Mandeep Kaur with the allegations that Mandeep Kaur has filed a complaint against Sharan Rana and Harish Kumar ATC Advisor. Sharan Rana is presently residing in Canada and had promised to arrange a work



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permit for Mandeep Kaur for Canada for which she asked Mandeep Kaur to transfer a sum of ₹ 2,50,000/- on 4.9.2024 and ₹ 4 lakh on 6.9.2024 in the bank account of Harish Kumar-petitioner. Besides this, Mandeep Kaur had also paid a sum of ₹ 9.5 lakh in cash to Sharan Rana but she did not arrange the work permit. The complainant also provided mobile number of Angad Talwar petitioner who is brother of Sharan Rana as Sharan Rana was not attending to her telephonic call and the complainant sought action against the accused. During investigation, it was found that Sharan Rana, Harish Kumar ATC Advisor in conspiracy with each other cheated Mandeep Kaur for a sum of ₹ 16 lakh on the pretext of arranging work permit for her in Canada but the same was not provided and the amount has also not been returned. The petitioner applied for anticipatory bail but the same was dismissed by the Court of Additional Sessions Judge vide order dated 15.5.2025.

3. I have heard the learned counsel for the petitioner as well as the learned State counsel assisted by the learned counsel for the complainant and have gone through the material collected by the police during investigation.

4. Learned counsel for the petitioner argued that the petitioner has been falsely implicated. Infact, he is an Advocate and running his own firm under the name and style of M/s ATC Advisors which deals in providing professional services in the fields of GST, Income Tax, Accounting, Cloud based information etc. and Sharan Rana was his client who was to pay money to her. Payment of ₹ 6.5 lakh were to be received from Sharan Rana being her client and the petitioner was never aware that the said amount has



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been transferred in the account of the petitioner by victim-Mandeep Kaur and once this fact came to his knowledge, he has returned the amount. Learned counsel next contended that there is no allegations against the petitioner that he ever induced the victim to pay him a sum of ₹ 6.5 lakh with a promise to arrange work permit for her and the petitioner is, thus, not connected with the alleged offence. Learned counsel further contended that the petitioner has already joined the investigation on the direction of this Court. Nothing is to be recovered from his possession and his custodial interrogation is, thus, not required and the interim order dated 22.5.2025, vide which, he was admitted to ad-interim anticipatory bail be made absolute.

5. On the other hand, learned State counsel assisted by the learned counsel for the complainant argued that the petitioner has committed a heinous offence. He was hand in glove with the main accused while hatching conspiracy to cheat her of ₹ 16 lakh, out of which, a sum of ₹ 6.5 lakh was deposited in his account. However, it has been admitted that the amount has been returned but the learned State counsel argued that in view of gravity of the offence, the petitioner does not deserve the anticipatory bail.

6. Status report filed on behalf of the State by way of affidavit of Satinder Kumar, DSP, NRI Wing, Sub Division, Jalandhar-I is ordered to be taken on record.

7. The work permit was to be arranged by Sharan Rana allegedly on payment of some amount, out of which, a sum of ₹ 6.5 lakh was deposited in the account of the petitioner by the complainant which



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admittedly has been returned. It is not the case of the victim that she had ever met the petitioner or that he ever induced her to pay the amount to him with promise to arrange work permit for her and as such, it will be a debatable question during the trial as to whether the petitioner had hatched any conspiracy in collusion with main accused Sharan Rana or not. The petitioner has already joined investigation on the direction of the Court and nothing remains to be recovered from his possession and his custodial interrogation is, thus, not required. As a result of the aforesaid discussion, the petition in hand is accepted and interim order dated 22.5.2025 is made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

8. Disposed of.

9. Pending misc application (s), if any, shall also stand disposed of.

(YASHVIR SINGH RATHOR)
JUDGE

August 19, 2025

Paritosh Kumar

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