



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

202-3

CRM-M-44032-2024

Date of decision : 24.01.2025

Baljeet Singh**..... Petitioner****versus****State of Punjab and another****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. R.K. Handa, Advocate and
Ms. Gauri Handa, Advocate
for the petitioner.

Mr. Malkiat Singh, DAG, Punjab.

Mr. Sartaj Singh Gill, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. (Section 483 of BNSS Act, 2023) for grant of regular bail to the petitioner in case bearing FIR No.0032 dated 17.05.2023, registered for the offences punishable under Sections 420, 406, 365 and 120-B of IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Bholath, District Kapurthala.

2. As per the contents of the FIR, it has been alleged as under:-

“Complaint No. 06-PGD dated 02-01-2023 To The Hon'ble SSP, Kapurthala. Subject: Complaint against Harpreet Singh son of Jindu, Balwinder Kaur wife of Harpreet Singh, Sahil son of Harpreet Singh and Baljit Singh son of Shiv Kumar residents of Ajit Nagar, Kapurthala for cheating and playing fraud by showing fake visa to send abroad and for registration of case. Dear Sir, I humbly request that I Gurmeet Singh son of Late Sh Dalip Singh am resident of Village



Kamrai, District Kapurthala. On one day in the month of October 2022 I had went to the house of Nishan Singh my brother in law's house. Where Harpreet Singh son of Jindu and his wife Balwinder Kaur also came there ho told me that he send entire family through direct flight to abroad to America. That day he demanded Rs. 1,50,00,000/- for sending my daughter in law Manjit Kaur and his two children abroad. But we refused. However thereafter they took our addressed and came to our house at Kamrai. Where my brother Ajit Singh son of Late Dalip Singh resident of Karnail Ganj came to my house at Kamrai. Then he said that he has received visa for sending families to America and he repeatedly repeated this and he made both the brother lured for Rs. 95-95 Lac each per family (two children, one woman) and as advance he took Rupees Twenty Lac each from both the families and also took the passports. In this, Manjit Kaur her two children and Mahinder Kaur and her two children were included. Besides this, he made both these facilities (total members) to sit at 6 Dubai. Where he harassed both the families and asked to clear the remaining amount so that he may arrange the flight to Mexico and thereafter he stopped paying the expenses to the families stuck at Dubai. Harpreet Singh by repeated threats also recovered Rs. Seventy Five Lac each. Thereafter he did not took the families to go further then we bought our families returned at our own expenses. All this amount of Rupees One Crore Ninety Lac which has been taken by us from people on loan. We are really poor people. Likewise Sahilpreet Singh, who is the nephew of my daughter- in-law Mahinder Kaur, a resident of Bhatnura Kalan, District Jalandhar, also took Rs. Fifty Lac to send her to America as well and harassed them. His family also called him back at their own expense. In this way, Harpreet Singh, his wife Balwinder Kaur, his son Sahil and his close friend Baljit Singh have cheated our family of Rupees Two and Half Crore. If we all two three families ask the said agent Harpreet Singh to return our money, he threatens to kill us and says that I will implicate you in some other case. We went to him several times with respectable of the society and also before the Panchayat, but he does not listen to us, instead he threatens to kill us. All our families request you that strict action should be taken against this fraudulent agent and his family members and close ones and



please get our money refunded. We will be very grateful to you. xxxx”

3. Counsel for the petitioner submits that there is no allegation against the petitioner of having lured the complainant. He has been nominated only on the ground that he was working with Harpreet Singh. Further submits that there is no direct transaction between the complainant and the petitioner even if the allegations levelled in the FIR are taken on its face value. Challan already stands presented. Trial has already commenced. Petitioner remained in custody for almost 08 months.

4. Though, counsel for the complainant as well as State counsel have emphatically opposed the bail plea claiming that it is a matter wherein the complainants have been duped for huge amount, but none of them is in position to dispute the fact that the main allegations are against Harpreet Singh.

5. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

6. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

24.01.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No