



CRM-M-3688-2025

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

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CRM-M-3688-2025

Decided on: 16.05.2025

Vishal Bhatti

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Vishal Sharma (Vasudeva), Advocate for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Vishal Bhatti	66	10.05.2024	406, 420 of IPC	Mukerian	Hoshiarpur

2. On 23.01.2025, following order was passed:-

“1. Prayer in this petition, filed under Section 482 of the BNSS, 2023, is for grant of anticipatory bail to the petitioner, who has been booked for having committed the offences punishable under Sections 406, 420 of IPC, 1860, in a case arising out of FIR No.66, dated 10.05.2024, registered at Police Station Mukerian, District Hoshiarpur, Punjab.

2. On the very outset, on oral request of counsel for the petitioner, complainant – Sukhwinder Singh s/o Sh. Gurdial Singh, resident of Village Kotli Khas, Tehsil Mukerian, Distt. Hoshiarpur, is ordered to be impleaded as respondent No.2 in the array of respondents.

Counsel for the petitioner is directed to file amended memo of parties in the registry within a period of two days.

3. Learned counsel for the petitioner contends that petitioner is a genuine travel agent and has sent five other persons abroad on ‘work visa’. Never any kind of complaint by any person has



been made against the petitioner. The complainant in the present case has raised dispute on account of receiving of an amount of Rs.1.50 lakh only. The admitted position is that complainant – Sukhwinder Singh had gone to Saudi Arabia on visa, which was provided by the petitioner. There is no complaint in regard to the authenticity of the documentation. The issue(s) raised through registration of present FIR does not constitute the criminal offence, as there is no written agreement. Even as per the complaint, complainant himself claim that he has the heavy duty vehicle licence and on that basis, he was sent and in case any licence is required by the concerned authorities or the Govt. of Saudi Arabia, petitioner cannot be blamed for that purpose.

4. Notice of motion for 20.03.2025

4. On advance notice, Mr. Amandeep Singh, DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks time to file status report.

5. In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023.

6. Besides, petitioner would submit/surrender his passport before the Arresting Officer and an undertaking on oath that in case of leaving the Country, he would seek prior permission from the Investigating Agency/concerned Court.

7. The Investigation Officer concerned shall serve the newly added respondent No.2 (complainant) by informing him about the next date fixed before this Court.”

3. Learned counsel for the petitioner submits that, in compliance of the order dated 23.01.2025 passed by this Court, the petitioner has duly joined the investigation and has extended full cooperation and as such, custodial interrogation of the petitioner is not warranted. In view of the petitioner’s cooperation and the nature of evidence involved, it is prayed that the interim protection granted earlier be confirmed and the petition for anticipatory bail be allowed.

4. On the other hand, learned State counsel does not dispute the submissions made by the petitioner’s counsel and confirms that, as of now, custodial interrogation of the petitioner is not required. However, it



is submitted that the petitioner be directed to rejoin the investigation as and when required by the Investigating Officer. It is further clarified that in the event of non-cooperation or failure to join the investigation when called upon, the petitioner shall not be entitled to claim the benefit of anticipatory bail.

5. After hearing learned counsel for the parties, and upon perusal of the allegations levelled in the FIR as well as the issues highlighted during the course of hearing, and taking into consideration the fact that the petitioner has joined the investigation and has extended full cooperation, and that custodial interrogation is not required as of now, this Court deems it appropriate to allow the present petition. Accordingly, the prayer for anticipatory bail is accepted. The interim order dated 23.01.2025 is hereby made absolute. The petition is, thus, allowed.

6. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and shall abide by all the terms and conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS, 2023).

It is further clarified that in the event the petitioner fails to join or rejoin the investigation despite service of due notice by the Investigating Officer, it shall be open to the prosecution to seek cancellation of the anticipatory bail.

Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he

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possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

May 16, 2025
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Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**