



CRM-M-39771-2025

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

CRM-M-39771-2025

DECIDED ON: 04.08.2025

UDIT DHIMAN @ Udit Kumar

....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Varinder Saini, Advocate,
for the petitioner.

SANJAY VASHISTH, J (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNS, 2023 (earlier Section 438 Cr.P.C.), 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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Udit Dhiman @ Udit Kumar, aged about 28 years	38	24.03.2025	406, 420 of IPC and Section 13 of Punjab Travel Professional Act, 2014	Sirhind	Fatehgarh Sahib

2. Learned counsel for the petitioner, *inter alia*, contends that the main accused, namely Vikas Chauhan @ Vicky, has already been granted bail by the Court of learned Additional Chief Judicial Magistrate, Fatehgarh Sahib, vide order dated 14.07.2025 (Annexure P-2). In the said order, it was recorded that the complainant, Kulwinder Singh, had



compromised the matter and had received an amount of Rs.26,50,000/- from the accused.

3. Further submits that since the entire dispute has been amicably settled and the complainant has already received the settlement amount, and there being no specific allegation against the petitioner, no meaningful purpose would get served by subjecting him to custodial interrogation. Thus, prays for grant of concession of anticipatory bail to the petitioner in the present case.

4. Notice of motion.

5. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and files status report dated 01.08.2025, in the Court today, and same is taken on record. Registry is directed to tag the same at the appropriate place on the file.

Paragraph No.10 of the status report is reproduced here under:-

“10. That during the inquiry, it was found that the petitioner Udit Dhiman (present petitioner) was present along with co-accused Vikas Chauhan and Jaswinder Singh at the time of finalizing the deal with the complainant for sending him and his family to Australia against payment of Rs. 30 lakhs. The understanding was that the amount, though initially received by Vikas Chauhan, was to be transferred to the petitioner and Jaswinder Singh upon completion of the process. Although certain amounts have reportedly been returned to the complainant by the family members of the co-accused during the pendency of the proceedings, the role of the petitioner in the initial transaction and his connection to the deal remains under scrutiny. His custodial interrogation is necessary to ascertain the extent of his involvement and trace the full flow of funds.”



6. On advance notice, Mr. S.S. Swaich, Advocate, and Ms. Deepa Negi, Advocate, put an appearance on behalf of the complainant and, while opposing the prayer for anticipatory bail to the petitioner, submits that total amount of Rs.30 lakhs was paid to the main accused, namely, Vikas Chauhan @ Vicky. In addition to this, 31,000 Fijian dollars (equivalent to approximately Rs.11 lakhs in Indian currency) were allegedly paid to Lovepreet Singh @ Jerry Sandhu.

It is further submitted that, petitioner had issued a cheque bearing No.000009, dated 29.10.2024, amounting to Rs.10,00,000/-, drawn on HDFC Bank, in favour of the complainant, which was dishonoured. Therefore, it is contended that unless complete amount is paid to the complainant, petitioner does not deserve the concession of anticipatory bail in the present case.

7. This Court has heard the submissions advanced by learned counsel for the parties, and therefore, is of the view that contention addressed by the complainant's counsel is the issue to be determined during the course of investigation or trial. Complainant has already given a statement before learned Magistrate, indicating that prime dispute has been settled, and same is recorded in the order dated 14.07.2025, along with the fact of the receipt of Rs.26,50,000/- towards the settlement. Present petition needs not to be continued merely for the purpose of effecting recovery of the remaining amount, if any, therefore, present petition is allowed.

8. Accordingly, petitioner is directed to join the investigation within two weeks from today, and in the eventuality of the arrest,



petitioner would be released on anticipatory 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 (earlier Section 438(2) Cr.P.C.).

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

10. With the terms recorded here above, present petition stands disposed of.

04.08.2025

Lavisha

(SANJAY VASHISTH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*