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2025:PHHC:123885



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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Date of decision: September 10, 2025

Paraminder Singh Viridi

...Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**Present:-** Mr. Gurnoor S. Sandhu, Advocate for the petitioner.

Mr. Jaypreet Singh, DAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.0129 dated 17.07.2025, for the offence punishable under Section 420 of the Indian Penal Code, 1860 (for short 'IPC') [Sections 318(4), 336(2), 336(3) 338, 340(2), 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 24 of the Immigration Act, 1983 added later on], registered at Police Station Mataur, District SAS Nagar.

2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:

"Copy of 'Ruqa' (written message), "The Station House Officer, Police Station, Mataur, "Jai Hind" (Victory for India). Today, I A.S.I. along with the Senior Constable Jashandeep Singh Number 744/PBI on a Private passenger vehicle, were present Near Chawla Hospital with regard to patrolling and checking of evil/ wicked persons, when the Special Informer came to myself A.S.I. and informed/ intimated in isolation/ seclusion/ person that Prabhsharan Singh Randhawa, Owner of Company Prabvisa Com S.C.F. Number 29, Second Floor, Phase-7. Mohali, has opened the Office of Immigration without license, who is doing the work

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of sending people to foreign countries and on the pretext of sending the innocent people to foreign countries, by getting hefty amounts he has been committing cheating/ fraud. If the raid is conducted just now, then from the said Office, documents regarding sending people abroad and the owner of afore-mentioned Company - Prabhsharan Singh Randhawa and his companions Parminder Singh etc. can be found present there. The information being solid/concrete and reliable, doing so by the owner - Prabhsharan Singh Randhawa and his companions Parminder Singh etc., fulfils the ingredients of Section 420 I.P.C., 24 of Immigration Act. Hence, by scribing the 'Ruga' (written message), the same is being sent to the Police Station for registration of a case against the afore-mentioned - Prabhsharan Singh Randhawa and his companion Parminder Singh afore-stated, by hand through Senior Constable Jashandeep Singh Number 744/PBI. After registering the case, the file number may be informed/ intimated. Control Room, Mohali may be informed through telephone. I, A.S.I. along with the companion employees have been proceeding at the spot for conducting the raid. In the area of : Chawla Hospital Time: 07.50 P.M. sd/- Kewal Kumar A.S.I., Police Station: Mataur, dated 17.07.2025." That today, on receipt of the 'Ruga' at the Police Station, the afore-mentioned case for the afore-stated offence was registered against Prabhsharan Singh Randhawa and thereafter the documents were completed. Copies of the F..R. are being sent to the higher/ Senior Officers and the Area (Illaqa) Magistrate Sahib through Post/ Dak. Control Room is being informed through Telephone. The case File along with the original 'Ruga' (written message) is being sent to the A.S.I. for further investigation by hand through Senior Constable Jashandeep Singh Number 744/PBI. Head Munshi of the Police Station was directed to complete the record."

3. Learned counsel for the petitioner has argued that the petitioner is in custody since 17.07.2025. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has iterated that the petitioner was actually working merely as an employee of the company, which is alleged to have indulged into fraudulent activities and thus no culpability can be ascribed to him. Learned counsel has further argued that the petitioner is suffering from epilepsy. Learned counsel has argued that the petitioner is in custody for more than 01 month. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised are serious in nature and thus the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place

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on record custody certificate dated 10.09.2025 in Court, which is taken on record.

5. I have heard counsel for the parties and have gone through the available records of the case.

6. The petitioner was arrested on 17.07.2025. The culmination of investigation as also trial emanating therefrom, in case occasion so arise, will take long time. The rival contention raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 10.09.2025 filed by learned State counsel, the petitioner has already suffered incarceration for a period of 01 month and 20 days, & is not shown to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, 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. concerned CJM/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned CJM/Duty Magistrate, the petitioner shall remain bound by the following conditions:

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.

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- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cell-phone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

September 10, 2025
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No