



IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 103

Criminal Miscellaneous No.M-29182 of 2025

Date of Decision: May 26, 2025

Buta Khan

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

PRESENT: - Mr. Vishavjeet Singh Rishi, Advocate, for the petitioner.

Mr. Jastej Singh, Additional Advocate General, Punjab.

SANDEEP MOUDGIL, J (Oral)

1. **Relief sought**

The jurisdiction of this Court has been invoked under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case FIR No.375 dated 09.11.2024 under Sections 420, 120-B IPC and Section 13 of Punjab Travel Professionals (Regulation) Act 2014, registered at Police Station, City Kharar, District SAS Nagar.

2. Prosecution story setup in the present case as per the version in the

FIR as under:-

*“Copy of the Complaint, Complaint No. 3498/S.S.P/ SAS Nagar, Dated 17.07.2024 by Simranjeet Kaur wife of Sukhwinder Singh resident of House No.111/2, Sector 10,Deepnagar Kharar ,PS City Kharar, District SAS Naga, “To, The Senior Superintendent of Police, SAS Nagar, Mohali
Subject:- Complaint against 1)Saleem Khan son of Sain Khan (Mobile No.90415 99970), resident of Ishar Nagar, Ludhiana, partner of Bright Brain Institute at Rara Sahib, Ludhiana (ii) Chamkaur Singh son of Sh. Jagan Singh (Mobile No.98159 20808), resident of Khanna Kalan,Tehsil Khanna,District Ludhiana, partner of Bright Brain Institute at Rara Sahib,Ludhiana (iii) Nazma Khan, mother of Saleem Khan(iv)Aditi Goel,Proprietor of Aditi Learning Space having Office at 27F,Pink Flats,Sargodha Colony, Pakhowal Road, Ludhiana and operational office at 4th tower A1,Nirmal Chaya, VIP Road, Zirakpur. Sir, The applicant respectfully submits as under:-That the applicant alongwith her husband Sukhwinder Singh and his minor daughter namely Gurnoor Kaur wanted to settle in UK. The applicant has done Nursing from Guru Hargobind College of Nursing, Raikot Ludhiana. For the purpose, on 07.02.2024, the husband of the applicant came into contact with accused Saleem Khan and Chamkaur*



Singh, who run Bright Brain Institute at Rara Sahib. Accused Saleem Khan and Chamkaur Singh misrepresented the husband of the applicant that they in collaboration with abovesaid accused Aditi, who runs Aditi Learning Space at Ludhiana and Zirakpur. SAS Nagar, Mohali I will arrange open work permit for husband of the applicant and since the applicant holds Nursing Diploma, they will arrange Caretaker work permit for the applicant. Accused Chamkaur Singh and Saleem Khan boasted to say that they will arrange work permit/Visa well before 11.03.2024. For the purpose, accused Saleem Khan demanded a sum of Rs.31 lacs (inclusive of Embassy fees, priority fees, medical fees). Accused Chamkaur Singh numerously assured the husband of the -applicant that their work will be done well before 11.03.2024 Accused Chamkaur Singh asked the husband of the applicant to pay a sum of Rs.1,46,000/- as initial payment required for preparing Visa Application files of applicant, her husband and their minor daughter. 2. That on 16.02.2024 at the asking of accused Saleem Khan, a sum of Rs. 1,46,000/- were credited in the Bank account of accused Nazma Khan (mother of Saleem Khan) bearing No.50200046265204 pertaining to HDFC Bank. Out of Rs.1;46,000/- a sum of Rs.95,000/- were sent by the applicant through phonepay app which were debited from her Bank Account No.37775189310 of SBI Bank and a sum of Rs.51,000/- were credited by husband of the applicant from his SBI Bank Account No.65100246540, in the account of Nazma Khan.3.That two/three days prior to 23.02.2024, accused Saleem Khan and Chamkaur Singh asked the applicant to immediately arrange a sum of Rs. 18 lacs in cash, which are to be further paid by them to accused Aditi Proprietor of Aditi Learning Space, claiming that Certificate of Sponsoring Details "COS" of applicant has been received from UK Visa & Immigration. The "COS" of-applicant was shared by accused Chamkaur Singh on 23.02.2024 on whatsapp number of husband of applicant. Thus, believing the accused persons Saleem Khan and Chamkaur Singh, the applicant arranged a sum of Rs.18 lacs in cash which were paid by the applicant to accused Saleem Khan and Chamkaur Singh on 25.02.2024 near Katani Sweets, Kharar, District SAS Nagar between 9:30 p.m. to 10:00 p.m. approximately. Out of aforesaid amount of Rs. 18 lacs, Rs.3,00,000/- were arranged out of amount lying with applicant, her husband and father-in-law Tejinder Singh, a sum of Rs. 4 lacs were debited by applicant from her SBI Account No.37775189310 through Cheque No.975947 on 23.02.2024 and Rs.9 lacs were debited by Tejinder Singh, father-in-law of the applicant from his account No.37287562902 maintained with SBI Bank, SCO No.6-7,Bansawali Chungi, Kharar, SAS Nagar and another sum of Rs. 2 lacs were withdrawn by father in law of applicant from his HDFC Bank Account No.50100027859751 maintained at SCO) No.178, Sector 38 C&D, Chandigarh. 4.That again on 27.02.2024,accused Chamkaur Singh and Saleem Khan called the applicant that to say that a sum of Rs.1,80,000/- are to be paid being Embassy Fees. At the asking of accused Saleem Khan, a sum of Rs.1,80,000/-were credited in the Bank Account of his mother Nazma Khan by applicant and her husband. Out of Rs. 1,80,000/-, a sum of Rs.1 lac was-paid by applicant through phonepay app which



were debited from her above bank account and a sum of Rs 80,000/- were credited in the account of Nazma Khan from above Bank Account of husband of the applicant. 5. That on 03.03.2024, accused Saleem Khan represented husband of the applicant that work Visa files of applicant and her family have reached U.K. and that a sum of 1100 pounds are to be sent to an Advocate of U.K. namely Mr. C H Javed, who will assist from U.K.in processing our files. Thus, believing the words of Saleem Khan, a sum of 1100pounds were credited by Mr. Harwinder Singh brother of applicant in bank account of Mr. C H Javed, copy of receipt of which is attached herewith.6. That besides above amounts, Rs. 9,000/- were spent by the applicant and her family on their medicals, which were got conducted by the applicant and her family on 23.02.2024 from MAX Hospital, SAS Nagar, Mohali. In addition to above, a sum of Rs.1,12,691/- were paid as priority fees with VFS Global, Elante Mall, Industrial Area, Phase 1; Chandigarh at the asking of accused Saleem Khan. Out of Rs.1,12,691/ a sum of Rs.55848/-were paid on 08.03.2024 bank transaction by applicant and balance amount of Rs.56843/- was directed to be paid in cash on 14.03.2024 at VFS Global Office, Industrial Area, Elante Mall, Phase 1 Chandigarh. 7. That on 08.03.2024, applicant was asked to reach office of VFS Global at Industrial Area, Chandigarh where foreign Visa application of applicant was to be dealt with. However before conducting biometric of applicant, accused Saleem Khan and Chamkaur Singh made known to the applicant that her "COS" has been changed. During interview as name of the applicant was mentioned to be SIMEANJEET KAUR instead of SIMRANJEET KAUR, therefore, her Visa application was put on hold by officials of UK Embassy. While leaving the office of VFS Global, accused persons Saleem Khan and Chamkaur Singh made known to the applicant that her Visa application would be re- submitted within 4-5 days and her particulars in "COS" would be got corrected. Chamkaur Singh and Salim Khan demanded another sum of Rs 1,50,000/- to be paid in cash on account of earlier refusal of VISA of applicant by UK Embassy. However, after negotiation the sum was reduced to Rs.1,20,000/-and the said amount was paid to them by the husband of the applicant on 10.03.2024.8.That on 14.03.2024,the applicant was again asked to reach office of VFS Global at Industrial Area, Chandigarh to collect her Passport as she has been granted Visa. Accused Chamkaur Singh and Saleem Khan also asked the applicant to balance amount of Rs.7,41,000/-. The applicant was also asked to bring balance amount of Rs.56,843/- to be paid as priority fees to be paid for the minor child, claiming that Visa application of husband & minor child of applicant was to be submitted at VFS Global. The applicant alongwith her husband Sukhwinder Singh reached the office where accused Aditi came alongwith accused Chamkaur Singh and accused Saleem Khan. The applicant made payment of balance amount of priority fees i.e. Rs 56,843/-on behalf of minor daughter, against receipt dated 14.03.2024. After making the applicant and her husband to wait for long time, informed the applicant that their file was in processing and work Visa has not yet been granted. On one hand accused Aditi was saying that the file of the applicant was in processing and on the other hand, she started pressurizing the applicant and



her husband to make the balance payment, which aroused suspicion in the mind of the applicant and her husband. The applicant and her husband although had already arranged balance amount of Rs.7,41,000/- which was lying in their bank accounts, however, refused to make any further payment. The husband of the applicant severally called Saleem Khan and Chamkaur Singh to give everything in writing so that they are not cheated of their hard-earned money. On being asked about Visa application of husband of applicant, accused Aditi to the utter shock of the applicant and her husband informed that Visa of husband of the applicant would be secured after Visa of applicant and her daughter is obtained. At this, accused Saleem Khan and Chamkaur Singh assured the applicant and her husband that in case they are unable to arrange work Visa for applicant and her husband and also of their daughter Gurnoor Kaur, then each and every penny spent by applicant and her husband will be returned. 9. That thereafter although the husband of the applicant severally called accused Saleem Khan and Chamkaur Singh to know about the status of their Visa applications and to impress upon accused Chamkaur Singh and Saleem Khan to give everything in writing, however, they did not listen to any reasoning and lingered on the matter on one pretext or the other. 10. That owing to insistence of husband of the applicant and threatening police action, on 22.05.2024 on whatsapp of husband of applicant, accused Chamakur Singh shared copy of written agreement 19.03.2024 executed by accused Aditi, witnessed by accused persons Chamkaur Singh and Saleem Khan on which some other persons had also put their signatures. Alongwith written agreement dated 19.03.2024, copies of cheque No 668011-for Rs.6,50,000/- ,Cheque No.668012 for Rs.2,80,000/-and Cheque No.668013 for Rs.5,00,000/-pertaining to AXIS Bank Branch, Ludhiana were also shared. From content of the written agreement dated 19.03.2024, it is clear that to save her skin accused Aditi Goel got incorporated in the agreement that the work visa of the applicant and her family has been delayed owing to one Gagandeep Kaur wife of Mukul Sharma with whom the applicant and her family are hardly concerned as they had independently assigned their work for arranging work Visa to accused Saleem Khan and Chamkaur Singh, who further assigned our work to accused Aditi Goel. 11. That hard copies of above written agreement dated 19.03.2024with above cheques were provided to the applicant only on 25.05.2024, which were sent through driver (Mobile No.9876068880) of Bus No.PB-13-S-7571.The Mobile Number and number of Bus were provided by accused Chamkaur Singh through whatsapp message to husband of the applicant. In addition to above cheques, another cheque No.000701 dated 25.05.2024 of Rs. 10,45,000/-drawn on ICICI, Khanna Branch, Ludhiana, purported to be signed by Saleem Khan, Partner of Bright Brain Institute, was sent. 12. That the applicant presented the above cheques for encashment through her bankers i.e. HDFC Bank, Sector 38,Chandigarh, however, the same bounced. Cheque issued by accused Saleem Khan has bounced with remarks "Account Closed" whereas cheques issued by accused Aditi Goel have bounced with remarks "Payment stopped by drawer", which makes it amply clear that the cheques were issued only to



further deceive the applicant. That after bouncing of the cheques, the husband of the applicant called Chamkaur Singh on 05.06.2024 to ask him to return the money paid by them, however, he tried to avoid the husband of the applicant saying that applicant or her husband can take whatever action they wanted to take, however, the money will not be returned at any cost. Thereafter, the husband of the applicant tried contacted accused Aditi on 06.06.2024, however, her Mobile No.8968723159 (mentioned in the Agreement dated 19.03.2024) was switched off. The husband of the applicant also called accused Saleem Khan on 06.06.2024, who at first instance did not pick phone call and later on started disconnecting the phone calls, making it amply clear that accused persons had intention to cheat the applicant and her husband from the very beginning. The applicant and her husband would not have paid any amount to the accused persons had they not been induced by accused that they will secure Visas of applicant and her family as detailed above. It is, therefore, respectfully prayed that appropriate legal action may kindly be taken against accused Aditi, Chamkaur Singh and Saleem Khan for committing cheating and usurping hard earned money of the applicant. The hard-earned money of the applicant kept by the accused persons may be got returned. Thanking you, Sd-Simranjeet-kaur 8437376912 w/o Sukhwinder Singh R/o H No. 111/2 W NO 10 near Randhawa road Deep Nagar Kharar. As per the orders of SSP Sahib Mohali, the investigation was conducted by the Incharge of Anti-Human Trafficking Unit, who, in their investigation report bearing no.479/5C/AHTU dated 07.09.2024 has stated in his conclusion report that as per the investigation conducted in the complaint, statements of the complainant party and statements of the accused Saleem Khan and Chamkaur Singh, who came present during the investigation, it has been revealed that the complainant Simranjeet Kaur's brother, Harvinder Singh S/o Harbans Singh, who is a resident of the U.K., was known to accused Chamkaur Singh S/o Jagan Singh R/o Village Khattra, Tehsil Khanna, District Ludhiana. For this reason, Harvinder Singh began to tell complainant Simranjeet Kaur's husband Sukhwinder Singh that Chamkaur Singh is engaged in the business of sending people abroad so you should meet him. Upon which, Sukhwinder Singh spoke to Chamkaur Singh over the phone and said that I, my wife Simranjeet Kaur, and my daughter Gurnoor Kaur wish to go to England. Upon which, Chamkaur Singh told them that he runs an institute under the name of Bright Rain Institute which is located at Rara Sahib, and he asked them to visit him. Sukhwinder Singh sent all the documentation to Chamkaur Singh's phone via Whatsapp. On 07.02.2024, Simranjeet Kaur, her husband Sukhwinder Singh, her father-in-law Tejinder Singh and her mother-in-law, Netar Kaur went to Bright Brain Institute at Rara Sahib where they met Chamkaur Singh. One more person was present at his office. They talked to Chamkaur Singh and Chamkaur Singh introduced the other person who was with him as Salim Khan and informed that Salim Khan is his partner. Then the complainant party talked to accused party Chamkaur Singh and Salim Khan and Chamkaur Singh told them that he has read their file and he will apply their file. He also informed them that he will get



their VISA before 11th of March 2024 and also stated that in case the VISA is refused, he will refund the entire money. After having the complete conversation, the complainant party came back to our house. Then one, accused Chamkaur Singh called the complainant Simranjeet Kaur's husband Sukhwinder Singh and told him that he is going to initiate the processing of their file and asked them to send the payment. Then Chamkaur Singh shared the account details of Najma Khan Mother of Salim Khan, on the phone number of complainant's Simranjeet Kaur's husband Sukhwinder Singh which was Bank account number 50200046265204, HDFC Bank, upon which, the complainant Simranjeet Kaur transferred an amount of Rs.95,000/- from her SBI bank account number 37775189310 an amount of Rs. 51,000/- (total of Rs.1,46,000/-) from Sukhwinder Singh's bank account number 65100246540 to the account of accused Najma Khan on 16th of February 2024. On 23.02.2024, the medical examination was conducted for the complainant Simranjeet Kaur, her husband Sukhwinder Singh, and her daughter, Gurnoor Kaur, on the basis of the notice sent by the accused Chamkaur Singh at Max hospital, Phase-6, Mohali and the total medical fee of Rs. 9000/- was submitted on the spot and after obtaining the medical reports, sent it to Chamkaur Singh on his phone. After 2-3 days Chamkaur Singh called the complainant Simranjeet Kaur's husband Sukhwinder Singh and informed him that their COS has arrived and that you arrange an amount of Rs. 18,00,000/- which we will receive in cash, upon which, the complainant Simranjeet Kaur's husband Sukhwinder Singh discussed the same with his father, Tajinder Singh. Tajinder Singh is a retired inspector from Chandigarh Police. Then the complainant Simranjeet Kaur withdrew an amount of Rs. 4,00,000/- from her aforementioned bank account, the complainant Simranjeet Kaur's father-in-law Tajinder Singh took Rs. 3,00,000/- from home, withdrew Rs. 9,00,000/- from SBI bank account number 37287562902, Branch Kharar, withdrew Rs. 2,00,000/- from HDFC bank account number 50100027859751, Branch Sector 38, Chandigarh and we arranged Rs.18,00,000/- in cash and on 25th of February 2024, around 9:30 pm, the complainant Simranjeet Kaur, her husband Sukhwinder Singh and her father-in-law Tejinder Singh reached Kataani Sweets, Kharar and met accused Chamkaur Singh, Salim Khan and Saleem Khan's uncle Buta Khan where the complainant party counted the cash and gave Rs. 18,00,000/- cash to the accused party. Accused Salim Khan issued as cheque of Rs. 10,45,000/- as security and they left from Kataani Sweets. Before leaving, they told the complainant party that they should come to Khanna tomorrow and obtain an affidavit in regard to this amount. Upon which the complainant Simranjeet Kaur's husband Sukhwinder Singh called Chamkaur Singh the next day, i.e., on 26.02.2024 but Chamkaur Singh gave an excuse and avoided the matter. Then one day, Chamkaur Singh called the complainant Simranjeet Kaur's husband Sukhwinder Singh and he informed him that your work is almost done. You will receive the login ID for the file and after this your files will be submitted to the embassy. Then Chamkaur Singh called the complainant Simranjeet Kaur's husband Sukhwinder Singh and said that we need to submit your embassy fee of Rs. 1,80,000/- so please transfer



the amount of Rs.1,80,000/-to the account of Najma Khan, Mother of Saleem Khan, as this money is for login ID. Upon which, on 27.02.2024,the complainant Simranjeet Kaur's husband Sukhwinder Singh transferred an amount of Rs, 1,80,000/- from his aforementioned account to the account of Najma. Then, the accused Chamkaur Singh said that your files have reached the UK embassy so you transfer an amount of 1100/- pounds to our lawyer in the UK, Mr. C.H. Javed in his account. Upon the instructions of accused Chamkaur Singh, complainant Simranjeet Kaur's husband Sukhwinder Singh asked his brother-in-law Harvinder Singh to transfer an amount of 1,100 Pounds (Rs 1,10,000/- in Indian Currency) to the account of one C.H. Javed, who he said is their lawyer. Then Chamkaur Singh called my husband and said that now your COS has been changed, now, new COS will be filed and complainant Simranjeet Kaur's husband Sukhwinder Singh asked Chamkaur Singh to send the new COS but Chamkaur Singh kept on giving excuses saying I will give it either today or tomorrow. Then accused Chamkaur Singh called the complainant party and said that we are moving the files of Simranjeet Kaur on 8th of March 2024 and all the documentation has been attached alongwith, only passport is yet to be submitted. Upon which, on 08.03.2024,the complainant Simranjit Kaur, her husband-Sukhwinder Singh, her father-in-law, Tejinder Singh and her mother-in-law Netar Kaur went to VFS Global, UK Embassy, Elante Mall, Chandigarh, where accused Chamkaur Singh sent the COS to the complainant's husband Sukhwinder Singh on phone, where Simranjeet Kaur's name was spelled wrongly. Upon this, complainant Simranjeet Kaur's husband Sukhwinder Singh told Chamkaur Singh that the name is spelt wrong, to which Chamkaur Singh told my husband that it is okay, we will get it corrected and told complainant Simranjeet Kaur's husband Sukhwinder Singh that you have to submit the passport of Simranjeet Kaur with the UK Emabassy and asked him husband to deposit a priority Fee of Rs.55,848/-with the Embassy and the complainant Simranjeet Kaur's husband Sukhwinder Singh deposited the passport of Simranjeet Kaur along with the informed amount. At that time, Chamkaur Singh, etc., were not present there. On 10.03.2024,accused Chamkaur Singh asked for more money from the complainant Simranjeet Kaur's husband Sukhwinder Singh and told that your files have been refused, because of which, the expenses have increased and they will have to pay an additional amount of Rs. 1,50,000/-. On 10.03.2024, the complainant Simranjeet Kaur, her husband Sukhwinder Singh and father-in-law Tejinder Singh met accused Chamkaur Singh and Salim Khan and the complainant party gave Rs. 1,20,000/- in cash to accused Chamkaur Singh and Salim Khan at Kharar. Then Chamkaur Singh called complainant Simranjeet Kaur's husband Sukhwinder Singh and said that the VISA for Simranjeet Kaur has been granted and on 14.03.2024, you and your daughter Gurnoor Kaur have an appointment and asked them to collect Simranjeet Kaur's Passport from the Embassy and told them that they should bring the pending amount along with them. Then on 14.03.2024,the complainant Simranjeet Kaur and her husband Sukhwinder Singh went to the Embassy at Chandigarh where they met Chamkaur Singh, Salim Khan



and Aditi Goel. Where Aditi Goel deposited the passport of complainant Simranjeet Kaur's daughter Gurnoor Kaur with the Chandigarh Embassy and made them submit a priority fee of Rs. 56,843/-. Then accused Aditi Goel, Salim Khan and Chamkaur Singh got the appointment cancelled for complainant Simranjeet Kaur's husband Sukhwinder Singh and complainant Simranjeet Kaur obtained her passport and checked it and found it to be empty, which did not have any stamp on it. Then accused Chamkaur Singh and Salim Khan told the complainant party that they will re-file our application in the next 2-4 days after getting it checked and once he gained the trust of the complainant party, they sent them back home. After this, accused Chamkaur Singh obtained an affidavit from Aditi Goel which was bought by Aditi Goel, and which had his signatures and was notarized at Khanna Notary, and was signed by Chamkaur Singh and Salim Khan as witnesses and gave it to complainant Simranjeet Kaur's husband Sukhwinder Singh. However, the accused Saleem Khan, Chamkaur Singh and their partner Aditi Goel have not gotten the work done of sending the complainant Simranjeet Kaur, her husband Sukhwinder Singh and their daughter Gurnoor Kaur to UK. Upon which, accused Chamkaur Singh and Salim Khan, along with their partner Aditi Goel R/o Zirakpur, connived with each other and cheated the complainant party for an amount of Rs. 24,77,691/-. Apart from this, accused Saleem Khan in his statement, stated that he got the complainant party to transfer money into his mother Najma Khan's bank account and on 25.02.2024, he, alongwith Chamkaur Singh and his uncle Buta Khan have received Rs. 15,00,000/- in cash from the complainant party. According to the statement of Saleem Khan, he gave this file to his friend Amanjot Singh S/o Jaswinder Singh, who runs an office by the name of Alexcore Immigration Khanna and got this file processed through him and in the presence of his uncle Buta Khan, Saleem Khan paid an amount of Rs.15,00,000/- cash to Amanjot Singh at his residence i.e., Village Kishangarh, PS Sadar Khanna, District Ludhiana, However, Saleem Khan did not produce the witness Buta Khan in this regard which does not prove that Saleem Khan, after receiving Rs.15,00,000/-from the complainant party, gave it to Amanjot Singh. For the purposes of the investigation, Amanjot Singh was also made to join the investigation and got his statement recorded. As per the statement of Amanjot Singh, he has not been given any amount by Saleem Khan and Saleem Khan's accomplice Aditi Goel etc. have also cheated him for money for which Amanjot Singh has gotten an FIR No. 122 dated 22.06.2024 u/s 406, 420, 120B IPC registered at PS Khanna City-2 against Aditi Goel. Aditi Goel has been arrested, sent to judicial custody and is confined at Kapurthala Central Jail. No role of Amanjot Singh is found in this case. Accused Saleem Khan has gotten money transferred into the account of his mother Najma Khan. From the copy of the statement given by Aditi Goel, call recordings and pendrive, it is revealed that accused Chamkaur Singh, Saleem Khan, Aditi Goel and Saleem Khan's mother Najma Khan, have connived with each other and have committed cheating for an amount of Rs. 24,77,691/- on the pretext of sending the complainant Simranjeet Kaur, her husband Sukhwinder Singh and daughter Gurnoor Kaur to abroad



England (UK). I am in agreement with the investigation conducted by constable Harpreet Singh. If approved, it is recommended that an FIR be registered against accused Chamkaur Singh son of Jagan Singh R/o Village Khattrra, Tehsil Khanna, District Ludhiana, Saleem Khan son of Sain Khan and Najma Khan wife of Sain Khan resident of Village Aalampur Chapra, PS Malor, Tehsil Payal, District Ludhiana and Aditi Goel proprietor Adite's Learning Space having Office at 27F, Pink Flats, Sargodha Colony, Pakhowal Road, Ludhiana and operational office at 4th tower A1, Nirmal Chaya, VIP Road, PS Zirakpur, Zirakpur, District SAS Nagar under Section 406, 420, 120B IPC and Section 24 Immigration Act. Report is presented for requisite orders. Sd/-Incharge Anti-Human Trafficking Unit Date -10.09.2024. DA Legal Sahib also submitted his recommendation, who, in his report bearing no. 162/DDA (Legal) SAS Nagar dated 30.10.2024 stated that in reference to the complainant's complaint, documents, attached documents, report of the investigating officer's investigation report, and Report bearing no.662/5s/AHTU/SP dated 24.09.2024 given by Superintendent of Police, SAS Nagar, I have perused the record. In my opinion, as per the recommendation given by Investigation Officer, Superintendent of Police, SAS Nagar, a prima facie offence is made out against accused Chamkaur Singh son of Jagan Singh R/o Village Khattrra, Tehsil Khanna, District Ludhiana, Saleem Khan son of Sain Khan and Najma Khan wife of Sain Khan resident of Village Aalampur Chapra, PS Malor, Tehsil Payal, District Ludhiana and Aditi Goel proprietor Adite's Learning Space having Office at 27F, Pink Flats, Sargodha Colony, Pakhowal Road, Ludhiana and operational office at 4th tower A1, Nirmal Chaya, VIP Road, PS Zirakpur, Zirakpur, District SAS Nagar under Sections 420, 120B IPC and Section 13 of Punjab Travel Professional Regulation Act 2014 and an FIR can be registered and investigation can be conducted. If, during investigation, the complicity of someone else, then investigation officer can initiate investigation against such person. Sd/- Head District Attorney (Legal) District SAS Nagar, Dated 30.10.2024. Based on the report, the Hon'ble SSP Sahib, SAS Nagar has written to SHO City Kharar to register the case and investigate. Upon receiving the complaint at the police station, FIR against Chamkaur Singh, Saleem Khan, Najma and Aditi Goel has been lodged. Copy of FIRs will be sent via post to Ilaqa Magistrate Sahib, Kharar and Senior officials. Incharge Control Room SAS Nagar has been intimated via phone. Original complaint, alongwith the FIR has been assigned to SI Harvinder Singh for further investigation by the SHO of the police station. Munshi of the police station is advised to complete the record.”

3. **Contention**

On behalf of the petitioner



Learned counsel for the petitioner contends that petitioner has been falsely implicated in the case and he is not the beneficiary in any manner and has been named on the basis of disclosure statement of other accused person. He further submits that the petitioner is willing to join the investigation.

Notice of motion.

On behalf of the State

On the asking of the Court, Mr. Jastej Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent-State and submits that granting of anticipatory bail to the petitioner will defeat the right of the police to properly investigate the case. Thus, custodial interrogation of the petitioner is necessary to unearth the true facts.

4. **Analysis**

Be that as it may, considering the fact that petitioner allegedly went alongwith other co-accused to collect the amount of ₹ 15 lac from the complainant and except that no other incriminating material has been putforth by the investigating agency to connect the petitioner and admittedly he is not the beneficiary and is ready to join the investigation, custodial interrogation of the petitioner is not required.

5. **Relief**

In the light of above, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction for the reason that custodial interrogation of the petitioner is not required as it would be of no fruitful purpose to put the petitioner behind the bars. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS, which are reproduced below:-

'When the High Court or the Court of Session makes a direction under sub-



section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court;

(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within a period of one week and comply with the aforesaid condition under Section 482(2) of BNSS, 2023, the order passed by this Court today shall automatically stands cancelled.

In the aforesaid terms, the present petition stands allowed.

(SANDEEP MOUDGIL)
Judge

May 26, 2025

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Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No