

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:068540



315

CRM-M-14031-2025
Date of decision:21.05.2025

Ravi @ Ravi Bhola

... Petitioner

Vs.

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. K.S. Nalwa, Advocate for the petitioner.

Mr. Manish Bansal, P.P., U.T., Chandigarh.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No.110 dated 24.05.2024 registered under Sections 420, 467, 468, 471, 120-B IPC at Police Station Sector-36, Chandigarh.

2. The above mentioned FIR was registered on the basis of a complaint lodged by the complainant - Swapan Chakraborty, resident of Kolkata alleging that in the year 2022, he had seen an advertisement on Facebook in his mobile phone. Jobs in Canada were offered as per the said advertisement. In response thereto, he made a call on the number given in the advertisement. Co-accused Arohi @ Sonia, who received the call, disclosed the details of Humble Overseas Consultation, who had issued the advertisement as well as its address and asked the complainant to send

money for processing fee along with required documents. She also made the complainant talk to accused Abhishek @ Manpreet by representing that he was the owner of the aforementioned consultancy services. Abhishek @ Manpreet had further made the complainant talk to Akash by saying that he was his superior. On being induced by these persons, the complainant paid a sum of Rs.61,50,500/- lakhs in different bank accounts as per their advice and on assurance given by them to get work visa issued for Canada. However, neither any visa was got issued by them nor the petitioner and co-accused returned back the money. After registration of FIR, investigation proceedings were initiated. During investigation, it came to light that the accused Sonia @ Arohi had facilitated a telephonic conversation between the complainant and the petitioner and the latter had given false assurance with regard to securing Canadian PR and a work permit thereby misleading the complainant. The petitioner was nominated as an accused. He along with co-accused were apprehended on 24.05.2024. He suffered a disclosure statement and in pursuance thereof, a rubber stamp bearing seal in the name of Humble Overseas Consultant and its address was recovered at the instance of the petitioner in pursuance of his disclosure statement. Investigation has since been completed and the petitioner along with co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR. Infact on 24.05.2024, he was asked by co-accused Abhishek @ Manpreet to accompany him for some work in his car and when they were going in his car, he was apprehended by the police. The alleged rubber stamp was

recovered from dashboard of the car of the co-accused. A false recovery has been planted upon him. No specific act of inducement of the complainant or committing any forgery has been alleged against him. The disclosure statement of co-accused that the petitioner was involved with them in preparation of fake documents cannot be considered to be admissible in evidence. No such document has been recovered at his instance. The trial would take considerable time to conclude. His custodial interrogation is not required. He is a permanent abode. There are no chances of his absconding. The subject offences are triable by the Magistrate. Co-accused Sonia @ Arohi has been extended benefit of bail. On parity, he too deserves to be extended the same benefit. With these broad submissions, it is urged that he deserves to be released on bail.

4. Complainant has appeared in person and has submitted that keeping in view the gravity of the allegations, the petitioner does not deserve to be extended benefit of bail.

5. Status report has been filed. It is argued by learned Public Prosecutor, U.T., Chandigarh that there are serious allegations against the petitioner. There are chances of his committing similar offences, if extended benefit of bail. The poor complainant had been duped of a huge amount of money. Such like offences are on rise. It is also submitted that the voice samples of the petitioner were taken and were compared with the voice recorded on the phone of the complainant, while inducing him to pay money for issuance of work permit and as per the CFSL report, the said voice has matched with the sample voice of the petitioner thereby connecting him with the allegations in the FIR. It is, therefore, urged that the petition does not

deserve to be allowed.

6. I have heard rival submissions made by learned counsel for the parties.

7. The petitioner in connivance with co-accused is alleged to duped the complainant of a sum of Rs.61,50,500/- and is alleged to have caused huge financial loss to the complainant. He is in custody since 24.05.2024. Trial is likely to take time since no prosecution witness has been examined so far. The offences for which he has been booked and challaned are triable by Magistrate. The petitioner has clean antecedents. No fruitful purpose would be served by detaining him in custody anymore. It is well settled preposition of law that the bail is the rule and jail is an exception. Keeping in view the above facts and circumstances but without meaning to make any comment on the merits of the case, lest they prejudice the case of either of the parties, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate/CJM concerned.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

21.05.2025

harjeet

**(MANISHA BATRA)
JUDGE**

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No