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

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**CRM-M No.42301 of 2025
Date of Decision: 25.09.2025**

Satpal Kaul @ Satti

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankur Bansal, Advocate,
for the petitioner (through Video Conferencing).

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNS") seeking regular bail in the FIR mentioned below:-

| FIR No. | Dated | Police Station | Sections |
|----------------|--------------|---|--|
| 35 | 24.02.2025 | Chhachhrauli, District Yamuna Nagar | 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS") (61(2), 338, 340(2) and 238 of BNS added later on) and 10 and 24 of Emigration Act |

2. Brief facts of the case relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Manchinder Kaur alleging that

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she wanted to send her daughter-in-law Jaswinder Kaur and grandson Navneet Singh to Canada on tourist visa. She came into contact with accused Vinod Kumar who represented to her that he was running a travel agency. He had assured to get tourist visa issued in the names of Navneet and Jaswinder Kaur on receipt of a sum of Rs.30 lakhs. Initially some amount of money was transferred in the account of his firm R.S. Enterprises. The accused Vinod then told the complainant that tourist visa had been issued in favour of Navneet and Jaswinder Kaur for the period from 13.12.2024 to 23.10.2034 and asked her to give the settled amount. An amount of Rs.15 lakhs was given to him and his wife by the complainant and then he agreed to give visa and passport only after receipt of the entire money. Since the complainant had taken a photograph of the visa shown by the accused, she got it checked and came to know that it was a duplicate/forged one. The accused Vinod Kumar thereafter stopped having any contact with her. By alleging that accused Vinod Kumar and his wife cheated him, prayed for taking action. After registration of FIR, investigation proceedings were initiated. The accused Vinod Kumar was arrested on 03.07.2025. He got recovered a sum of Rs.26,000/- and passport. He also disclosed that the petitioner was his friend along with whom he had opened an office in the name of R.S. Enterprises and had committed the subject offence. The petitioner was nominated as an accused and had been arrested on 05.07.2025. He got recovered a sum of Rs.3 lakhs and passport of one person. Investigation now stands concluded.

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3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. He is in custody since 05.07.2025. The trial will take considerable time to conclude. His involvement in other cases cannot be considered to be a ground for denying bail to him. With these broad submissions, it is urged that he deserves to be released on bail.

4. Status report has been filed. It is argued by learned Assistant Advocate General, Haryana that keeping in view the gravity of the allegations as levelled against the petitioner, he does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner in connivance with the co-accused is alleged to have cheated the complainant of a sum of Rs.15,32,000/- on the pretext of arranging tourist visa for family members of the complainant. The investigation has been concluded. No witness has been examined so far and the trial will ofcourse take time to conclude. The petitioner is shown to be involved in two other cases but is on bail in those cases. The subject offences are triable by Magistrate. No useful purpose is going to be served by keep the petitioner in custody any more. It is well settled proposition of law that bail is the rule and jail is an exception. In view of the above discussed facts, this Court is of the opinion that a case for release of the petitioner on bail is made out. Accordingly, the petition is allowed and the

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petitioner is ordered to be admitted to bail subject to his furnishing personal as well as surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

25.09.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No