



CRM-M-4865-2025(O&M) and
CRM-M-65145-2024

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

1. CRM-M-4865-2025(O&M)
Date of decision: 03.07.2025

SAKSHI GOEL ...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR. ...RESPONDENTS

2. CRM-M-65145-2024

PARAS VERMA ...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR. ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.Puneet Bhushan, Advocate for the petitioner(s).

Mr. Akshay Kumar, Asst. AG, Punjab.

Ms. Pooja Chopra, Advocate for respondent No.2

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
305	21.11.2024	Tripuri, Patiala, District Patiala	406/420/120-B IPC

1. By this common judgment, petitions bearing CRM-M-4865-2025 and CRM-M-65145-2024 are being decided together as the both petitions relate to common FIR. For brevity facts are taken from CRM-M-4865-2025.

2. The petitioners apprehending arrest in the FIR captioned above have come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.

3. The facts and allegations are being taken from the reply dated 03.03.2025 filed in CRM-M-4865-2025 filed by the State, which reads as follows:

"xxx xxx xxx xxx

3. That the brief facts of the present case/FIR No. 305 (supra) are that one complaint dated 05.06.2024 was moved by Sachin Gupta (respondent no.2) before Senior Superintendent of Police, Patiala, against (1) Sakshi Goel (present petitioner); (2) Paras Verma; (3) Sahil Goel; (4) Indu Bala; (5) Vivan Kumar; (6) Vivek Kumar; (7) Kulwant Singh and (8) Himanshu with the allegations that he was doing the business of immigration under the name of Canada PR Advisory Patiala at Anand Nagar, Patiala. For managing and supervising immigration



work, they were in the need of a Relationship Manager and on 10.06.2023, they conducted an interview. Sakshi Goel (petitioner) also participated in the interview and on 25.07.2023, the complainant/respondent no. 2 hired Sakshi Goel (petitioner) as Relationship Manager. Thereafter, she started managing work at the office of respondent no. 2 and respondent no. 2 was also satisfied with her work and started believing her. After working for some time, petitioner told respondent no. 2 that she had knowledge of work permit visa of Singapore and Australia and that she would also manage the work permits of Singapore and Australia alongwith the duty of relationship manager. She also told the respondent no. 2 that Sky Vision Complete Solution is a company in Chandigarh and Mumbai and she gets the work done through this company and in this company, Indu Bala, Vivan Kumar, Paras Verma, Vivek Kumar, Kulwant Singh, Himanshu and Sahil Goel work for getting the work permit of people to work in Singapore and Australia. Petitioner also said that the income from this work would be divided by 50%. The respondent no. 2 stated that he only did Canada tourist and PR visa work but Sakshi Goel (petitioner) allured him that their business would grow in this way and that they would have good income. Ultimately, the respondent no. 2 started working with Sakshi Goel (petitioner) and respondent no. 2 negotiated half profit-loss share in the business of Singapore and Australia. Thereafter, Gurpreet Singh and Rakesh Kumar came to the office of respondent no. 2 and told him that they wanted to go to Singapore on work permit and as instructed by Sakshi Goel (petitioner), the respondent no. 2 told them that Rs. 1 Lakh per person had to be deposited in advance and Rs. 10 Lakh per person had to be paid after getting the visa. Accordingly, Gurpreet Singh and Rakesh Kumar deposited Rs. 1 Lakh each and thereafter, Sakshi Goel (petitioner) applied their visa for Singapore. After few days, Singapore visa and tickets of Gurpreet Singh and Rakesh Kumar arrived and the same were sent by Sakshi Goel (petitioner) to the respondent no. 2 via Whatsapp and respondent no. 2 further forwarded the same to Gurpreet Singh and Rakesh Kumar. Upon which, Gurpreet Singh paid the remaining amount of Rs. 10 Lakh and Rakesh Kumar paid Rs. 8 Lakh to the respondent no. 2. Rakesh Kumar told the respondent no. 2 that he would pay the remaining amount after going to Singapore. On the asking of Sakshi Goel (petitioner), the respondent no. 2 transferred the entire amount to the bank account given by her and also gave some amount in cash. On 29.04.2024, when Gurpreet Singh and Rakesh Kumar were going to the Airport, Sakshi Goel (petitioner) called them and told them that due to some reason, they could not board the flight on that day and would have to stay at Delhi for 2 days. After 2 days i.e. on 01.05.2024, when Gurpreet Singh and Rakesh Kumar were about to go to Airport, Sakshi Goel (petitioner) again called them that due to some technical reasons, they could not go to Singapore directly and they should go to Singapore via Dubai and they had to stay in Dubai for 3 days. Their ticket and visa to Dubai was sent in Whatsapp Group by Sakshi Goel



(petitioner). After 3 days of arrival of Gurpreet Singh and Rakesh Kumar at Dubai, the respondent no. 2 received a phone call from them to enquire as to when they would go to Singapore. When the respondent no. 2 called Sakshi Goel (petitioner) to enquire about the same, she disclosed that their insurance bond for Singapore had not been paid, due to which, they would have to stay in Dubai for few more days. Sakshi Goel (petitioner) continued to linger on the matter for one more week. All the expenses at Dubai including stay, food etc. were borne by Gurpreet Singh and Rakesh Kumar themselves. When Sakshi Goel (petitioner) did not send them to Singapore even after one week, the respondent no. 2 called them back on his expenses. When Gurpreet Singh and Rakesh Kumar came back to India, the respondent no. 2 verified their Singapore visa and ticket and the same were found to be fake."

4. Counsel for the petitioner(s) submit that they have voluntarily handed over one notarized affidavit mentioning all their assets to the State, one for the complainant and undertake that they would not claim such declaration as any incrimination or violation of their rights under Articles 20/21 of the Constitution of India, Bharatiya Sakshya Adhiniyam, 2023 or any other law in force. The petitioners' counsel argued that the custodial investigation would serve no purpose whatsoever and the further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family. He further submits that the petitioners are not involved in any other cases.
5. The State counsel as well as counsel for the complainant oppose bail and refers to the reply.
6. It would be appropriate to refer to the following portions of the reply, which read as follows:

"ROLE OF PETITIONER in CRM-M-4865-2025

That the petitioner in connivance with her husband Paras Verma and other co-accused persons duped different persons namely Gurpreet Singh, Rakesh Kumar, Sahib Singh, Manisha Gautam, Harpreet Bharti, Harvinder Singh, Dipti and Himmat Singh on the pretext of getting them work visa for different countries and obtained about Rs. 29,34,500/- from them but the work permit/air tickets provided to the said persons were found fake and forged.

ROLE OF PETITIONER in CRM-M-65145-2024

That the petitioner in connivance with his wife accused Sakshi Goel and other co-accused persons duped different persons namely Gurpreet Singh, Rakesh Kumar, Sahib Singh, Manisha Gautam, Harpreet Bharti, Harvinder Singh, Dipti and Himmat Singh on the pretext of getting them work visa for different countries and obtained about Rs. 29,34,500/- from them but the work permit/air tickets provided to the said persons were found fake and forged. Moreover, there is transaction of Rs. 1,25,000/- in the bank account of petitioner."



REASONING:

7. Perusal of the record reflects that complainant himself is running an immigration company and he approached petitioners for providing work permit, visa etc. if there is any loss to complainant, he can file suit for recovery of his money and this Court does not deem it proper to deny bail to petitioner. Moreover, petitioner declared their assets. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

8. Given the above, the penal provisions invoked coupled with the prima facie analysis of the nature of allegations and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

9. Given above, provided the petitioner(s) are not required in any other case, the petitioner(s) shall be released on anticipatory bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioner's complying with the following terms.

12. The petitioners are directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner(s) shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner(s) shall not be subjected to third-degree, indecent language, inhuman treatment, etc.



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13. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.

14. These bails are conditional, and the foundational condition is that if the petitioner(s) indulge in any non-bailable offense, the State may file an application for cancellation of these bails before the Sessions Court, which shall be at liberty to cancel these bails.

15. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

16. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner(s) can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

17. Petitions are allowed in terms mentioned above. All pending applications, if any, stand disposed of.

03.07.2025
renubala

(ANOOP CHITKARA)
JUDGE

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