



2025:PHHC:047995



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

108**CRM-M-19204-2025****Date of decision: 07.04.2025**

Gurbir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kushagra Mahajan, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.103 dated 24.02.2025 under Sections 420, 120-B of the Indian Penal Code, 1860, registered at Police Station Goindwal Sahib, District Tarn Taran, wherein he, along with co-accused, is alleged to have duped the complainant of a substantial sum of money on the pretext of sending his son abroad/United Kingdom.

2. Learned counsel for the petitioner submits that the petitioner is merely a travel agent who deals in booking air tickets, and not a visa consultant or immigration agent. It is submitted that the petitioner only introduced the complainant to one co-accused, Ramandeep Singh, who was purportedly running a visa consultancy firm. It is further submitted that the complainant, being acquainted with the petitioner, deposited a sum of Rs.23,50,000/- into the account of the petitioner between 07.12.2023 and 26.06.2024, which amount was subsequently transferred by the petitioner to co-accused Ramandeep Singh, after retaining his commission. It is, thus, argued that the



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petitioner had no intention to defraud and had played only a limited role.

3. Notice of motion.

4. On asking of the Court, Mr. H.S. Deol, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State.

5. Learned State counsel has opposed the prayer and submissions made by the counsel opposite. He has, on instructions, submitted that all the accused persons, including the petitioner, acted in concert and were involved in a well orchestrated plan to cheat the complainant. While drawing the attention of this Court to the FIR annexed as Annexure P-1, he has submitted that an amount of Rs.23,50,000/- was transferred into the bank account of the petitioner by the complainant, in addition to Rs.2,50,000/- which was paid to the petitioner in cash. Despite receiving the money, neither was the son of the complainant sent abroad, nor was the amount refunded. On the contrary, the accused persons began avoiding the complainant and even extended threats to deter him from pursuing the matter.

6. I have heard learned counsel for the parties and perused the relevant material on record.

7. *Prima facie*, the allegations against the petitioner are serious and specific. He is not a mere bystander or an incidental link in the transaction, but a direct recipient of a large sum of money, which was allegedly collected under false pretenses. The submission made by the counsel for the petitioner that the petitioner acted only as an intermediary, does not absolve him of culpability, particularly when



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prima facie the money-trail begins and ends with him, and the end objective of sending the son of the complainant abroad, remained unfulfilled. Crimes involving immigration fraud have reached alarming proportions in recent years. Unsuspecting individuals are often lured with promises of overseas employment or education, and are made to part with substantial life savings. These frauds are frequently orchestrated by agents and touts who operate outside the regulatory net. In many instances, victims are either left stranded, defrauded, or worse, find themselves in legal peril in foreign jurisdictions.

8. This Court is conscious of the growing prevalence of such rackets and the urgent need to adopt a stringent approach to deter such conduct. *Prima facie*, the petitioner, having actively participated in the financial transaction and being the initial custodian of the defrauded amount, cannot be permitted to evade investigation. His custodial interrogation is necessary to ascertain the full extent of the conspiracy and to trace the funds.

9. In light of the gravity of the offences, the *modus operandi* adopted, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner. The instant petition stands dismissed accordingly.

10. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

07.04.2025

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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