



2026:PHHC:046982



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In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-15378 of 2026 (O&M)

Reserved On: 20.03.2026

Pronounced On: 24.03.2026

Daljeet Singh alias Don

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Mansur Ali, Senior Advocate
with Ms. Amarpreet Kooner and Mr. Vaibhag Garg,
Advocates for the petitioner(s).

Mr. Eklavya Darshi, Deputy Advocate General,
Punjab, for the respondent.

Mr. Nikhil Ghai, Advocate
for the complainant.

Surya Partap Singh, J.

1. This petition for anticipatory bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No. 131 dated 15.07.2025, for the commission of offence punishable under Section(s) 406, 420, 506 and 120-B of 'the Indian Penal Code, 1860' and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 Police Station Model Town, District Police Commissionerate Ludhiana, Punjab.

2. Briefly stating the facts emerging from the record are that the FIR of this case came into being at the instance of 'Gurkaran Singh' hereinafter being referred to as "complainant" only. It was stated by the

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complainant that his close friend, namely 'Akashvir Singh Kang' wanted to settle in U.S.A., along with his family comprising of wife and two children. As per complainant in March 2023 he came in contact of the accused, namely 'Daljit Singh alias Don' (the petitioner herein), 'Sarabjit Singh', 'Jai Jagat Joshi' and 'Doctor' (full name not known). It has been claimed by the complainant that 'Akashvir Singh Kang' was lured by the above named accused and in order to facilitate his settlement abroad, a sum of ₹90,00,000/- was received by the above named accused. According to complainant the above-mentioned money was paid by his friend 'Akashvir Singh Kang' to the accused and with regard to above-mentioned payment a video clip was prepared. The complainant further alleged that subsequently instead of sending 'Akashvir Singh Kang' to U.S.A., he was sent to 'Dubai' and then to 'El Salvador' where an additional sum of ₹50,00,000/- was extorted and then he was sent to U.S.A. through illegal channels. While claiming that the accused had falsely impersonated themselves as travel agents and duped 'Akashvir Singh Kang' for a huge amount, action was sought against the accused.

3. It is the case of prosecution that in view of above mentioned complaint, formal FIR of this case was lodged and the investigation taken up.

4. Heard.

5. It has been contended on behalf of petitioner that he has been falsely implicated in the present case, and that he has no nexus, whatsoever, with the commission of crime. According to learned counsel for the petitioner, firstly the FIR has not been lodged by the victim 'Akshvir Singh

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Kang' himself, and that the complainant has no concern, whatsoever, with the commission of crime or payment of money. In addition to above the learned counsel for the petitioner has also contended that 'Akashvir Singh Kang', the alleged victim, had actually gone to U.S.A. and after spending one year in U.S.A he has been deported. According to learned counsel for the petitioner as per the knowledge of petitioner, in U.S.A. 'Akashvir Singh Kang' even got a driving license.

6. In addition to above the learned counsel for the petitioner has also contended that the allegations with regard to payment of money pertains to September 2023, whereas the FIR has been lodged in July 2025, i.e. after a gap of more than one year and ten months. It has also been contended by learned counsel for the petitioner that in the video clip the persons, who are counting money, are 'Sarabjit Singh' and 'Jai Jagat Joshi' and not the petitioner. While claiming that the petitioner has been falsely implicated in the present case the benefit of anticipatory bail has been sought by learned counsel for the petitioner.

7. The learned State counsel, being assisted by the learned counsel for the complainant, has controverted the above-mentioned arguments. According to learned counsel for the complainant the petitioner and his real brother, namely 'Sarabjit Singh' are the real culprits behind the above-mentioned crime and that, in fact all the accused have formed a gang involved in defrauding the innocent youth desirous of settling in foreign country. According to learned counsel for the complainant in the present case recovery of money, which has been received by the accused, has to take place and for that purpose custodial interrogation of the petitioner is

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necessary.

8. The record has been perused carefully.

9. A careful perusal of record shows that in the present case, following are the relevant factors which are necessary to be taken into consideration for a decision:-

- i) that the offence is triable by the court of Judicial Magistrate;
- ii) that the maximum punishment prescribed for the offence is imprisonment upto seven years;
- iii) that the dispute between the parties *prima facie* seems to be a dispute with regard to recovery of money for which civil remedy is available;
- iv) that the custodial interrogation of the petitioner is not likely to produce any result as on custodial interrogation no relevant piece of evidence is likely to be collected from the possession of petitioner;
- vi) that there is delay of about one year & ten months in filing the FIR, which substantiate the allegation of the petitioner that victim 'Akashvir Singh Kang' was sent to U.S.A.;
- vii) that the deportation of 'Akashvir Singh Kang' seems to be the trigger point for filing of FIR, as he was deported in the last week of June 2025 and thereafter the FIR has been lodged;
- viii) that the investigation and trial of the case are not likely to

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be concluded in near future;

- ix) that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- x) that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

10. Taking into consideration the cumulative effect of all the aforesaid factors, the present petition deserves to be allowed. Hence, the same is hereby **allowed**. It is hereby ordered that in the event of his arrest, the petitioner shall be released on anticipatory bail on furnishing bonds to the satisfaction of arresting officer. The petitioner shall join the investigation as and when called by Investigating Officer. He shall abide by the terms and conditions as envisaged under Section 482(2) of BNSS.

11. It is, however, clarified that any observations made in the above-mentioned order shall not be construed as an expression of opinion on the merits of the case.

18. The pending miscellaneous application(s), if any, shall stand disposed of.

(Surya Partap Singh)
Judge

March 24, 2026
“DK”

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