



2026:PHHC:126807

CRM-M-40970-2026 (O&M)

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CNR No: PHHC011211432026

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

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CRM-M-40970-2026 (O&M).

Date of Decision: 09.09.2026.

Moti Ram

....Petitioner.

VERSUS

State of Haryana

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Nitin Bhanwala, Advocate for the petitioner.

Mr. Pawan Kumar Garg, Deputy Advocate General, Haryana.

SANJAY VASHISTH, J. (Oral)

Petitioner-Moti Ram, aged 40 years, has filed this 2nd petition under Section 483 of BNSS (Section 439 Cr.P.C.), seeking regular bail in case FIR No.285 dated 22.07.2024 under Sections 370, 406 and 420 IPC (corresponding to Sections 143, 316 and 318 of BNS, 2023) and Sections 10 and 24 of the Immigration Act, 1983, registered at Police Station Ladwa, District Kurukshetra.

2. First bail petition (CRM-M-22640-2026) was disposed of having been withdrawn at that stage, after arguing for some time, vide order dated 29.04.2026 (Annexure P-6).

3. As per allegations, for sending Karandeep Singh to USA by complainant-Sukhwinder Singh, deal was finalized for Rs.48 Lakh by two accused namely Moti Ram (petitioner herein) and his co-accused Jasbir



Singh. Complainant had got registered the FIR with the allegations that twice i.e. on 15.10.2023, cash amount of Rs.12,50,000/- and again on 23.10.2023, cash amount of Rs.12,50,000/- was paid to the accused in the presence of his (complainant's) brother Nirmal Singh and cousin brother Manpreet Singh. Two security cheques dated 15.03.2024 amounting to Rs.12,50,000/- each were also issued by both the accused in favour of the complainant.

4. Learned counsel for the petitioner submits that, as per the allegations itself, the entire transaction in question was carried out in cash with a total amount of Rs.25 Lakh having allegedly been paid in cash.

Counsel further submits that statements of Mangeram and Pradeep Kumar, who are also named in the FIR, recorded at Pages 38 and 49 of the paperbook, specifically state that all the cheques and assurances were given by co-accused Jasbir Singh, and no such role is attributed to the present petitioner.

He further submits that even as per the allegations contained in the FIR, the cheques were handed over to the complainant toward the alleged liability. The complainant, therefore, has an efficacious remedy under the Negotiable Instruments Act, 1881, for recovery of the alleged amount in case of dishonour/non-payment of the said cheques.

5. Learned State counsel informs that petitioner is facing one more case of similar nature i.e. FIR No.65/2025 under Sections 406, 420, 120-B IPC and Section 24 of the Immigration Act, Police Station Chandi Mandir, Panchkula.

6. Initially, son of complainant was sent to Thailand then to Almaty (Kazakhstan) on 28.11.2023 and after a period of 10 days, was sent to Russia and from there was sent to Dubai but never was sent to USA. Looking at the



conduct of both the accused in the case, that how the poor people now in the State of Haryana are being defrauded by alluring them after handing over the security cheque and making them to run pillar to post, petitioner/accused don't deserve any sympathetic consideration under the laws and thus need to be treated differently so that the required message may reach to the other such accused persons in the State.

7. Accordingly, **the petition stands dismissed.**

Pending application(s), if any, also stand disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

09.09.2026

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No