2026:PHHC:088180

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

CRM-M-34439-2026
Date of decision: 26.06.2026

Kanika Manocha alias Mahi Sharma ....Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Gagandeep Singh Virk, Advocate
for the petitioner.

Ms. Pratibha Bali, AAG, Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. This 3rd petition has been filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the petitioner in case bearing FIR No.118 dated 15.07.2025 under Sections 318(4)/336(2)/338/336(3)/340(2)/351(2) of BNS (erstwhile Sections 420/465/467/468/471/506 of IPC) and Section 24 of Immigration Act registered at Police Station Moti Nagar, Ludhiana as the matter has been compromised between the parties vide compromise deed dated 27.05.2026 (Annexure P-2).

2. The factual background of the case is that the complainant contacted the petitioner and others for sending her son to Australia. The petitioner and others promised to provide visa for Rs.7 lakh out of which, Rs.4 lakh was taken by them in case and Rs.19,500/- was given by the complainant as Embassy Fee. Further, when the complainant checked the visa handed over to her by the petitioner and others online, she found that it was not displayed there. Later on, the complainant came to know that she has been given a

fabricated and forged visa and when complainant demanded her money back, the petitioner and other accused persons threatened her and thus, the FIR (*supra)* was got registered.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been made a scapegoat and the FIR *(supra)* has been registered against her despite the fact that she is neither the owner nor the proprietor of the consultancy firm dealing in arranging visas. Further, the petitioner is a lady who is the mother of a minor child and is behind bars since 03.09.2025. Thereafter, the matter has been amicably settled between the complainant and the petitioner and a compromise dated 27.05.2026 has been executed. The complainant has also undertaken to support the petitioner in the proceedings seeking quashing of the FIR *(supra)*.

4. Mr. Vikas Prakash, Advocate puts in appearance on behalf of the complainant and files his *vakalatnama* in the Court today which is taken on record. He submits that the complainant has no objection in case the petitioner is granted the concession of regular bail as the matter has been compromised.

5. Having heard learned counsel for the parties and after perusing the record of the case, it transpires that the petitioner is a lady having a minor child of 03 years of age. She is behind the bars since 03.09.2025 and a compromise (Annexure P-2) has taken place between the parties on 27.05.2026. Investigation is complete. The final report under Section 193 of BNSS (earlier Section 173 of Cr.P.C.) was presented before the concerned Court. The culpability, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the

petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of her rights under Article 21 of the Constitution of India.

6. In view the above, the present petition is allowed. Thus, without commenting upon the merits of the case lest it may prejudice the outcome of the trial, the petitioner-Kanika Manocha alias Mahi Sharma is ordered to be released on regular bail during trial on her furnishing bail bonds/surety bonds to the satisfaction of Illaqa Magistrate/Trial Court/Duty Magistrate.

7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

26.06.2026
Neha

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