



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

**Reserved on: 09.03.2026
Pronounced on : 24.03.2026**

1. CRA-D No.1617 of 2025 (O&M)

GAGANDEEP SINGH **.... Appellant**

Versus

NATIONAL INVESTIGATION AGENCY **.... Respondent**

2. CRA-D No.91 of 2026 (O&M)

SHUBHAM SANDHAL @ DEEP HUNDI **.... Appellant**

Versus

NATIONAL INVESTIGATION AGENCY **.... Respondent**

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL
HON'BLE MRS. JUSTICE RAMESH KUMARI**

Present : Mr. Harlove Singh Rajput, Advocate and
Mr. Jashandeep Singh Bains, Advocate
for the appellant(s).

Mr. Sukhdeep Singh Sandhu, Special Prosecutor
for respondent-NIA.

Ms. Sakshi Goel, Advocate for the complainant.

| FIR No. | Date | Police Station | District | Under Sections |
|---------|------------|-----------------|------------|--|
| 95 | 18.02.2025 | Goindwal Sahib, | Tarn Taran | 13 of Punjab Travel Professionals (Regulations) Act, 2014 and Section 318 of BNS, 2023 |

**RAMESH KUMARI, J.**

1. Both the appeals have been filed by the above named appellants against the impugned orders passed by learned Special Judge, NIA, Punjab, SAS Nagar Mohali, whereby the bail applications pending trial in case bearing No. RC-04/2025/NIA/DLI dated 13.03.2025 under Sections 143, 318, 238 of BNS and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, were dismissed.
2. The case pertains to the illegal immigration of Gursewak Singh who went to USA through the “Dunki route,” via Spain, El Salvador, Guatemala, and Mexico. He alleged that the appellant, Goldy (Gagandeep Singh), an agent, cheated him by sending him to the USA on an invalid visa after taking ₹45 lakhs. During the journey, he was harassed and physically assaulted by the “Donkers,” and his money was snatched before crossing the US border. While attempting to cross the border, he was apprehended by the US Border Patrol and detained for 19 days. He was deported from the USA on 13.02.2025 and arrived at Amritsar on 15.02.2025.
3. Since, the aforesaid facts attracted Section 143 of BNS, 2023 (Section 370 of IPC) which is a scheduled offence in terms of National Investigation Act, 2008, the NIA accordingly took over investigation of this case.
4. During investigation, it is transpired that Gagandeep Singh @ Goldy despite having no authorization was acting as an immigration agent and in connivance with his Indian and foreign based associates, illegally sends persons to USA through dangerous ‘Dunki Route’ via Spain, EI



Salvador, Guatemala and Mexico without valid visas and travel documents. The complainant Gursewak Singh along with many others, was duped by the accused of huge amount of money for securing entry into USA. On the directions of the accused, complainant and other victims were detained and physically and mentally harassed by accused's foreign associates (Donkers) while travelling from Spain to Mexico-U.S. border. After extracting money, they were forced to cross U.S. border illegally via 'Dunki Route'. The accused- Shubham Sandhal @ Deep Hundi received Rs.11.22 lakhs as proceeds of human trafficking from 01.01.2023 to 30.04.2023. These transactions correspond with the statements of the victims as well as data analysis from seized mobile phone of Shubham Sandhal @ Deep Hundi. Victims and witnesses statements identify him as the hawala handler who collected money, routed it illegally to Mexico, financed the 'Donkers' and coordinated payments for victim's movement on 'Dunky Route'. Digital evidence such as WhatsApp groups, shared locations, money-confirmation screen shots, traveler lists and hawala-rate discussions corroborate the role of Shubham Sandhal @ Deep Hundi for his involvement in organizing the trafficking network.

5. We have heard learned counsel for the appellants, learned State counsel and learned counsel for the complainant.
6. Learned counsel for the appellant contended that accused Gagandeep Singh @ Goldy compromised with the complainant Gursewak Singh through his wife. It is mere case of offences under Section 318(4) BNS (420 of IPC), which are compoundable. The allegation against the accused



is exaggerated showing it as a case of human trafficking. There is no evidence in support of the allegation that accused indulged in human trafficking. Prosecution initially alleged that the statements of 150 victims were recorded but the said victims are reduced to 38 in number. Out of these 38 victims, 34 alleged victims are residing in USA and have not filed any complaint. Out of remaining 4, only one person stood deported from USA, who gave the complaint and got the FIR registered at Tarn Taran. The remaining 3 victims who have been shown as per the chart filed by NIA in their additional reply are Saroj and his sons namely, Robin and Gomsy. As per the NIA allegations, Saroj and Robin are aggrieved and did not enter USA and were cheated which is contrary to their statements recorded by NIA. Both the witnesses alleged that they entered in USA in 2019 and have valid B-1/B-2 visas for 10 years and their son/brother Gomsy is happy in USA and working as Taxi Driver. PW-114 Pardeep and PW115 Surinder are real brothers and PW132 Sushil is their brother-in-law. The allegations of cheating are against Sandeep Kumar who is not accused in this case and said Sandeep Kumar, is brother-in-law (wife's brother) of Surinder. They did not complain against the appellant Gagandeep Singh @ Goldy. PW-119 Kulwant did not level allegations against the appellant and he alleged that he was sent to Greece via Serbia by one local agent who is not named in his statement and later from Greece, he was sent to USA by Ali who is not an accused in this case. Statement of PW119 is vague and cannot be read against the accused.



7. Learned counsel for the appellant-accused-Shubham Sandhal @ Deep Hundi, contended that statement of complainant in this case is not trustworthy because he altered his stand before different investigating agencies which makes his testimony unreliable. The role attributed to him is that he acted as a 'hawala agent' for transferring money between so called 'Donkers' and main accused. However, this allegation is unsubstantiated, without any credible or admissible evidence. There is nothing on record that establishes any direct link of the accused Shubham Sandhal @ Deep Hundi with the complainant. Nothing was to be recovered from him.
8. Learned counsel for both the appellants/accused further contended that investigation is complete. Custodial interrogation of the appellants is not required. Challan was submitted in June, 2025. Thereafter, supplementary challan was present in October, 2025 against Shubham Sandhal @ Deep Hundi and Sunny@ Harry. Charges were framed on 22.12.2025. Prosecution has cited 142 witnesses and none has been examined. The next date of hearing before the trial Court is 06.04.2026. Both the accused have no criminal antecedents. Not even a single complaint had been filed against them before registration of the present case. The learned counsel, thus vehemently prayed for grant of regular bail to both the appellants.
9. Learned counsel for the complainant admitted the factum of compromise between the complainant, namely, Gursewak Singh and accused Gagandeep Singh alias Goldy.



10. Opposing the appeal(s) for releasing the appellant(s) on regular bail, learned counsel for NIA submitted that it is not a simple case of cheating of complainant Gursewak on the pretext of sending him abroad but the case was transferred to NIA to address the large offence of human trafficking committed by accused. Cheating of complainant Gursewak was not an isolated incident on the part of the accused. The investigation establishes that both the accused had been running a cheating, extortion and illegal human trafficking racket. Accused–Gagandeep Singh @ Goldy in connivance with his co-accused extorted huge amounts of money from more than 150 victims through transactions running over 36 crores between 05.07.2011 to 25.03.2025 by running/operating an organized cheating, extortion and illegal human trafficking racket. The victims were trapped by the accused on false representations, giving false assurance and making false promise and then in a planned manner, they were harassed physically, assaulted and exploited by ‘Dunkers’ during their journey to USA through ‘Dunky Route’. The victims were made to travel illegally through multiple countries without any legal documents. Many a times victims were arrested or were deported, killed or suffered serious injuries from harsh travel conditions.
11. Learned counsel for NIA further contended that accused Gagandeep Singh @ Goldy in spite of being behind bars had been able to win over the complainant in this case by entering into a compromise with him. Since, it is a case of larger issue of human trafficking, the said offences cannot be compromised/compounded and that the offences for which the



accused were charged are punishable with rigorous imprisonment for a minimum period of 10 years which may extend to imprisonment for life as well as with fine. He vehemently prayed for dismissal of both the appeals.

12. We have considered rival submissions addressed before this Court. NIA investigation reveals that accused Gagandeep Singh @ Goldy not only cheated complainant Gursewak Singh of an amount of Rs. 42,51,121.14/- on the pretext of sending him to USA who was later on deported from USA but also cheated other persons. The bank account statement (Annexure R-2) of M/s Sayyasha Holidays run by accused Gagandeep Singh @ Goldy as sole proprietor, pertains to the period from 05.07.2021 to 25.03.2025, that runs into 52 pages reveals transactions of credit and debit of huge amounts which substantiates the case of prosecution that under the garb of M/S Sayyasha Holidays, accused Gagandeep Singh @ Goldy is allegedly running an immigration business.
13. Annexure R-3 reflects the transactions involving the accused persons, the detail of which is as under:-

| Accused | Bank Account Details | Credits | Debits | Closing Balance | Remarks |
|--|---|---|-----------------|-----------------|---|
| Gagandeep Singh @ Goldy | (i) 013663300002437 (SAYYESHA HOLIDAYS) (ii) Axis Bank A/C 919010030615322 (Kuldeep Singh) (iii) Canara Bank A/C 000352500000237 (Bhawna Gupta) | Rs.29,88,457/- Rs.8,35,956.64/ Rs.4,26,707.70 Total= Rs.42,51,121.14 - | — | — | Received funds from Gursewak Singh and Jaspal Singh across 3 accounts |
| Bhawna Gupta w/o Accused Gagandeep Singh @ Goldy | Canara Bank A/C 90462010125932 | Rs.52,74,768.91 - | Rs.52,74,937.00 | Rs.98.35/- | High-volume activity; funds from Jaspal Singh and others |



| | | | | | |
|---|-------------------------------|-----------------|---------------------|------------------|---|
| Kuldeep Singh father of accused Gagandeep Singh @ Goldy | Axis Bank A/C 919010030615322 | Rs.22,09,025.57 | Rs.22,07,488.14 | Rs.1,537.43 | Received via Remitly from Jaspal Singh |
| Accused Sunny (A-2) | HDFC A/C 50200028068919 | Rs.3.71 crore | Rs.3.65 crore | Rs.5.56 lakh | Rs.2,736/- transactions ; 79 persons involved; 25 identified as victims |
| | PNB A/C 10292413000055 | Rs.1.27 lakh | Rs.1.27 lakh | Rs. 236/- | Minor activity |
| | PNB A/C 4478002100001405 | Rs.2.55 lakh | Rs.2.44 lakh | — | Minor account |
| Accused Shubham Sandhal @ Deep Hundi | Axis Bank A/C 920010036429411 | Rs.11,22,724.00 | Rs.10, Rs.84,130.43 | Rs.38,5 Rs.93.57 | Primarily cash deposits; commissions from hawala transactions |

14. During the investigation, NIA recorded the statements of 133 witnesses. Besides the complainant Gursewak Singh, the statements of Gurdev Singh and others were recorded. The brief gist of allegations of these witnesses are as under:-

- (i) Gurdev Singh s/o Sardar Sulakhan Singh cited at Sr. No.5 in the list of witnesses stated that he paid Rs.17.50 lakh to accused Gagandeep Singh @ Goldy for sending his son Navtej Singh to USA through legal route but arranged 'Schengen' visa for him, sent him to Mexico and illegally sent him to USA through his 'Donkers' like Sunny/Harry through 'Dunky Route'. Navtej Singh was caught by US Police while crossing US Border, kept in detention for 5-7 days.
- (ii) Another witness, Gurnam Singh s/o Nishan Singh (listed at Sr. No.6 in the list of witnesses) stated that he sent his son Bikramjit Singh to UK for study where he was approached by one agent to send him to USA from London and sent him



air tickets from London to Vienna (Austria) and Vienna to Cancun (Mexico). When Bikramjit Singh reached Mexico, he was demanded more money. He remained stranded in Mexico. On the asking of Bikramjit Singh, he transferred Rs. 5 lakh+ Rs. 2 lakh (in account No.9220100311086246), Rs.4.10 lakh (in account No.64800001000216444) and Rs.5 lakh in account No.013663300002437) and when he transferred this amount, after 2-3 days, his son informed that 'Donkers' snatched his mobile phone and money and then his son entered USA soil. Account No.013663300002437 in which Rs.5 lakh was deposited is of M/S Sayyesha Holidays and Gagandeep Singh @ Goldy is proprietor of this Firm.

- (iii) Sukhwinder Singh s/o Dalbir Singh listed at Sr. No.7, in his statement to NIA also alleged that his son Vikramjeet Singh had talked with Gagandeep Singh @ Goldy who had demanded Rs.16 lakh for sending him to USA through legal means. On 27.02.2023, he deposited Rs.12 lakh in the account of M/S Sayyesha Holidays of agent Gagandeep Singh @ Goldy from his Bank of Baroda and later on he came to know that agent Gagandeep Singh @ Goldy sends people to America through 'Dunki Route'. His son reached America through this route after about a month later.
- (iv) Baljeet Singh s/o Sarder Gurmej Singh who is listed at Sr. No.8 in the list of witnesses also stated that he deposited



Rs.4,99,976/- in the account of his nephew Bikramjeet Singh nephew of Satnam Singh on the demand of agent Gagandeep Singh @ Goldy of M/S Sayyesha Holidays. He supported the statement of PW-6 Gurnam Singh.

- (v) Satnam Singh s/o Nishan Singh listed at Sr. No.9 in his statement before Investigating Officer also supported the statements of PWs Baljeet Singh and Gurnam Singh regarding total deposit of Rs.16 lakh in the account of agent Gagandeep Singh @ Goldy on the pretext of sending his nephew Bikramjit Singh to America by legal ways.
- (vi) Roorbir Singh listed at Sr. No.11 also stated that agent Gagandeep Singh @ Goldy charged huge amount to send his nephew Harpreet Singh to America and he sent Rs.7 lakh to agent Gagandeep Singh @ Goldy in his firm M/S Sayyesha Holidays's account on 01.03.2023 and Rs. 2,49,000/- was sent by their family member PW-10 Kanwaljeet Kaur @ Pannu. Harpreet Singh faced lot of difficulties in going to USA via 'Dunky Route' and he endured torture.
- (vii) Charanjit Singh s/o Pritam Singh listed as witness No.3 also stated against accused Gagandeep Singh @ Goldy that his brother Joginder Singh paid huge amount to Gagandeep Singh @ Goldy for going to USA via 'Dunky Route'. On reaching Mexico Sunny @ Harry agent of Gagandeep Singh @ Goldy received him at airport. 'Donker' Sunny@ Harry



took him to Mexico US Tejawania Border on foot and by taxi and entered USA. His brother Joginder Singh is in California (USA) and is working as a truck driver. 'Donkar' Sunny@ Harry helped him in crossing the US border via Mexico on the instructions of agent Gagandeep Singh @ Goldy. The Donkar misbehaved and harassed him on the instructions of agent Gagandeep Singh @ Goldy.

- (viii) Kanwaljeet Kaur @ Pannu w/o Parminder Singh listed as witness No.10 in her statement to NIA corroborated the statement of PW3 Charanjit Singh.
- (ix) Surinder Pal Singh s/o Lt. Avtar Singh listed at Sr. No.22 in the list of witnesses also levelled allegations against Gagandeep Singh @ Goldy for sending his son Ajaypal Singh from UK to USA and Rs. 17 lakh was paid for the entire process but his son was sent through 'Dunky Route' i.e. from Heathrow Airport UK to Chile and from Chile to Panama and then Nicaragua by flight.
- (x) Similar allegations are made by witnesses Ajaypal Singh s/o Sh. Surinder Pal Singh, Shamsheer Singh s/o Sardar Balbir Singh, Amandeep Kaur s/o Sh. Tarsem Singh, Dhir Singh s/o Harnam Singh, Tarshem Singh s/o Sh. Joginder Singh, Sham Singh s/o Sardar Gurdeep Singh, Major Singh s/o Jit Singh, Navdeep Singh s/o Sardar Sukhdev Singh, Malkit Singh s/o Mahinder, PW-111 Sukhvir Kaur w/o Amandeep Singh, PW-



112 Kulwinder Kaur w/o Lt. Rajbir Singh, PW-113 Rajbir Singh s/o Lt. Rajinder Singh, Pradeep Kumar s/o Karan Singh, Surinder Kumar s/o Karan Singh, Jagjit Singh s/o Lt. Gurjant Singh, Kimpreet Singh s/o Harinder Singh, Kulwant Singh s/o Harbhajan Singh, Saroj Kumar s/o Lt. Tilak Raj, Imran Ali Kamilali Macnogiya s/o Kamilali Macnogiya, Ajay Kumar Sharma s/o Shiv Sharma, Robin s/o Saroj Kumar, PW-128 Daljit Singh s/o Atma Singh, PW-129 Harjinder Singh s/o Prakash Singh, Amarjit Singh s/o Narinjan Singh, Sushil Kumar s/o Randhir Singh, Harbhajan Singh s/o Lt. Pritam Singh.

15. Thus, the allegations that accused Gagandeep Singh @ Goldy is regularly running large scale human trafficking racket is corroborated by the statements of these witnesses as well as by factum of payment of huge amount by these witnesses/victims in the bank account of M/S Sayyasha Holidays. Accused Shubham Sandhal @ Deep Hundi is stated to be working at the behest of Gagandeep Singh @ Goldy and payment of Rs.11, 22,724/- was also made through hawala transactions and different payments were also made through cash in Axis Bank account of accused Shubham Sandhal @ Deep Hundi bearing No. 920010036429411. Therefore, the connivance of accused 2 also cannot be ruled out in running racket of human trafficking/migrants smuggling. No document worth the name is placed on record to support the case of accused Gagandeep Singh @ Goldy that he is running any legal immigration



agency. He facilitated the entry of different person in USA for his own financial gain by 'Dunky Routes' which is an irregular and illegal entry in USA. The victims who entered USA stated to have been tortured on the way by 'Donkers' and huge amount was extracted from them.

16. Because of the international ramification of the human trafficking of migrants into USA soil, and seriousness of allegations against the accused, they are not entitled for grant of benefit of regular bail.
17. In view of the above discussion, both the appeals are dismissed.
18. Any observations made hereinabove while deciding both the bail applications, shall have no bearing on the merits of the case.
19. However, before parting with this order we deem it appropriate to issue some directions to the prosecution. As out of the cited 142 witnesses, none has been examined so far and the case is fixed for prosecution evidence, therefore, the trial Court is directed to take the following steps for expeditious conclusion of the trial -

- (i) The trial Court shall frame a schedule of dates in advance for summoning the witnesses and shall also endeavour to record the statements of the PWs whose presence is duly secured. Special Messengers be deputed for securing the presence of the prosecution witnesses. If deemed necessary, a letter may be written to the Senior Superintendent of Police, concerned, for getting the needful done for ensuring timely presence of prosecution witnesses; and



- (ii) The prosecution is directed to ensure the presence of all the prosecution witnesses before the trial Court on the dates as may be fixed by the trial Court for recording prosecution evidence. The District Attorney concerned to take necessary steps for the purpose of securing the presence of the remaining prosecution witnesses.

20. Pending application(s), if any, is/are also dismissed.

(GURVINDER SINGH GILL)
JUDGE

(RAMESH KUMARI)
JUDGE

24.03 .2026

Jyoti-IV

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|---------------------------|---------|
| Whether speaking/reasoned | √Yes/No |
| Whether reportable | √Yes/No |