

CRM-M-26031-2025

218

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26031-2025

Date of Decision: 08.07.2025

Gurinder Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. A.P. Kaushal, Advocate
for the petitioner.

Mr. Akshay Kumar, A.A.G., Punjab.

Mr. T.S. Grewal, Advocate
for the complainant.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0016	19.03.2025	Shimlapuri, Ludhiana	420, 406, 120-B IPC

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 12 of the bail petition, the accused declares that she has no criminal antecedents.
3. The facts and allegations are being taken from translated version of FIR, which reads as follows:

“One complaint bearing no PGD-392478 complaint no 391988 dated 26.07.2024 and one complaint bearing no 396719/395989 dated 30/07.2024 and C no 1313/2-2 dated 25/11/2024 from sema singh son of Sukhdev singh r/o 1688/27/155-Street no 9-C, Chimney Road, Preet Nagar, Shimlapuri, Police Commissionerate, Ludhiana mobile no 8360996806, 9617797055. Against smt Ranjit kaur bhatti wife of Sukhdev singh r/o 658/1, street no 20, Punjab mata nagar, Jawaddi road, Dugri, Gurinder kaur w/o Jaspreet Singh r/o Lakhmirwala, Jhunir, Mansa, Punjab, Sukhminder Singh area bank manager, Punjab & Sindh Bank, Shimlapuri after conspiring with each other and giving false hope of job and taking amount of Rs 10 lakh 31



CRM-M-26031-2025

thousand for registration of case which is as follows to the police Commissionerate Ludhiana. For getting the job in Punjab & Sindh bank, the above named person had duped the honest and hard working person of Rs 10 lakhs. Now the said persons are neither returning the amount nor had got the job to the complainant. 1. Sulhdev singh bhatti retired police officer r/o 658/1, street no 20. Punjab mata nagar, jawaddi road, model town, Ludhiana, m no 98760-66338, 2. Ranjit kaur bhatti w/o Sukhdev singh bhatti retired police officer r/o 658/1, street no 20, Punjab mata nagar, jawaddi road, model town, Ludhiana, 98152-00756, 3. Gurinder kaur bank official, Punjab & Sindh bank wife of Jaspreet singh r/o Lakhmir wala, mansa, m no 80546-17704, 62834-79473. 4.) Sukhminder Singh area manager, Punjab & Sindh bank, Ludhiana, 75290-77040. Sir I sema singh son of Sukhdev singh r/o 1688/27/155-Street no 9-C, Chimney Road, Preet Nagar, Shimlapuri, Police Commissionerate, Ludhiana and my complaint is as follows that above named persons namely Sukhdev singh bhatti and his wife Ranjit kaur bhatti are my maternal uncle and aunt and gurinder kaur is their close associate who is working in Punjab & Sindh bank and one area manager namely sukhminder singh is their close associate of all three persons. All these persons had taken Rs 10,00,000 from me for getting me job in Punjab & Sindh Bank and its been now around one and half year. All these persons neither got me job nor returned back my money. After 3-4 times panchayat got convened and thereafter Ranjit kaur bhatti and Gurinder haur gave me cheque worth Rs 5 lakhs each in which one choque was of IHDFC Bank and other was of kotak Mahindra bank (photocopies of cheque attached herewith). That I presented both the cheque in the bank which were returned back due to difference in signatures. That when I asked them about these cheques that both the cheques got failed. That you should take back these cheques and give back my money then they started giving me threats that I should keep quite, they are not going to return the amount, you should do whatever you want to do. Ranjit kaur bhatti stated that my husband is retired senior police official. They have got high links in the offices and they are not going to return back the amount. Therefore, request is to help me in saving my life and legal action be taken against the said persons from some senior higher official and justice be granted to me. If me or my family gets hurt then above mentioned persons will be responsible for the same. I shall be thankful to you. Note: bounced cheque and documents and my adhar card, and the details of amount they have taken are attached herewith. Sd/- sema singh son of Sukhdev singh.”

4. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.
5. The State's counsel opposes bail and has referred to the reply.
6. It would be appropriate to refer to the following portions of the reply which read



CRM-M-26031-2025

as follows:

“C. Role of the petitioner:

- i) *Petitioner alongwith co-accused Ranjit Kaur Bhatti who used to work in Punjab & Sind Bank in connivance with Sukhwinder Singh, Area Manager of Punjab & Sind Bank obtained Rs.10 lakh from the complainant on the pretext of getting employment in Punjab & Sind Bank, but they neither got him employed nor returned the above said amount to him. When the complainant brought this fact to the knowledge of petitioner and co-accused Ranjit Kaur Bhatti, they started giving threats to the complainant.*
- ii) *Petitioner received Rs.1,50,000/-from the complainant, on the pretext of providing a job in Punjab & Sindh Bank.*
- iii) *Later on, the petitioner as well as co-accused Ranjit Kaur Bhatti entered into a compromise with the complainant on 11.12.2024 for total sum of Rs.15 lakhs out of which, they returned an amount of Rs.5,00,000/-.*
- iv) *Petitioner issued cheque No.00012 Kotak Bank dated 01.07.2024 for money of Rs.5,00,000/- in the name of the complainant, however, on presentation, it was bounced with the remarks "Drawer's signatures differs".*
- v) *Co-accused Ranjit Kaur issued cheque No. 000126 HDFC Bank dated 08.07.2024 for money of Rs. 5,00,000/-, in the name of the complainant, however, on presentation, it was bounced with the remarks "Drawer's signatures differs.*
- vi) *Petitioner has conspired with the co-accused and played a central role in cheating the complainant.”*

REASONING:

7. Counsel for the petitioner submits that it is a civil dispute and allegations are of duping Rs.10 lacs which they have already returned, subject to all just exceptions without conceding and admitting and co-accused has already been granted benefit of anticipatory bail.

8. Counsel for the complainant submits that the compromise was entered for Rs.15 lacs, but he does not dispute that original amount was Rs.10 lacs.

9. Since the original amount in dispute has already been returned, as such no ground to deny bail is made out. Pre-trial incarceration should not be a replica of post-conviction sentencing. The evidence might be prima facie sufficient to launch prosecution or to frame charges, but this Court is not considering the evidence at that stage but is analyzing it for the stage of anticipatory bail. An analysis of the above does not justify custodial interrogation or pre-trial incarceration.

10. Given the above, the penal provisions invoked coupled with the primafacie analysis of the nature of allegations, amount already returned and the other factors peculiar to this case, there would be no justifiability for custodial interrogation or the pre-

CRM-M-26031-2025

trial incarceration at this stage.

11. Without commenting on the case's merits, in the facts and circumstances peculiar to this case, and for the reasons mentioned above, the petitioner makes a case for bail. This order shall come into force from the time it is uploaded on this Court's official webpage.

12. Given above, provided the petitioner is not required in any other case, the petitioner shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the Arresting Officer, and if the matter is before a Court, then the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Officer/Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

13. While furnishing a personal bond, the petitioner shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

14. The petitioner is directed to join the investigation within seven days of uploading this order on the official webpage of the High Court of Punjab and Haryana and as and when called by the Investigator. The petitioner shall be in deemed custody for Section 27 of the Indian Evidence Act, 1872/ Section 23 of BSA, 2023. The petitioner shall join the investigation as and when called by the Investigating Officer or any Superior Officer and shall cooperate with the investigation at all further stages as required. In the event of failure to do so, the prosecution will be open to seeking cancellation of the bail. During the investigation, the petitioner shall not be subjected to third-degree, indecent language, inhuman treatment, etc.

15. In case the Investigator/Officer-In-Charge of the concerned Police Station arraigns another section of any penal offense in this FIR, and if the new section prescribes a maximum sentence that is not greater than the sections mentioned above, then this bail order shall be deemed to have also been passed for the newly added section(s). However, suppose the newly inserted sections prescribe a sentence exceeding the maximum sentence prescribed in the sections mentioned above; then, in that case, the Investigator/Officer-In-Charge shall give the petitioner notice of a minimum of seven days, providing an opportunity to avail the remedies available in law.



CRM-M-26031-2025

16. It is clarified that if the petitioner violates any bail condition, the State and/or the victim may file an application for bail cancellation before the trial court, which shall be competent to cancel the bail or add more conditions. Furthermore, if the petitioner moves for deletion or dilution of any bail conditions, the trial court is empowered to do so.

17. **This bail is conditional, and the foundational condition is that if the petitioner indulges in any non-bailable offense, the State may file an application for cancellation of this bail before the Sessions Court, which shall have the liberty to cancel this bail.**

18. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

19. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioner can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

20. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

08.07.2025
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.