

2025:PHHC:021819



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

105

CRM-M-8433-2025 (O&M)
Date of decision: 14.02.2025

Chetan Goyal**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Petitioner in person.
(Through VC)

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), the petitioner seeks anticipatory bail in case FIR No. 150, dated 14.09.2023, registered under Section 420 of IPC at Police Station City-1, District Mansa.

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of a complaint lodged by complainant Krishan Gopal on the allegations that the petitioner, in connivance with his family members, had induced him to part with a sum of Rs. 30 Lakhs on the pretext of sending his son abroad. The petitioner is running a travel agency. He had represented that he was also involved in the business of sending people abroad and it was on that pretext, he had cheated the complainant by causing wrongful loss of money to him with a dishonest intention since the very inception. After registration of FIR, investigation proceeding have been initiated and the same are underway.

2025:PHHC:021819



Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Sessions Judge, Mansa but the same had been dismissed, vide order dated 30.04.2024.

3. It is argued by the petitioner, who is appearing in person that he has been falsely implicated in this case. He is simply running a travel agency involved in the business of issuing air tickets, giving tour tickets, making hotel bookings and travel insurance only and does not render any immigration or visa related services. He has been implicated in this case at the behest of one Navdeep Ahluwalia, who is a person having political clouts. He had never received any money from the complainant. No amount of money whatsoever had been deposited in his bank account by the complainant. Some cheques had been obtained from him by the complainant by exerting pressure in connivance with Navdeep Ahluwalia and his brother Dharamveer Walia at the premises of an MLA of ruling party. These cheques have been dishonoured due to the same reason. No recovery is to be effected from him. Co-accused have been extended benefit of anticipatory bail. The petitioner is ready to join investigation. His custodial interrogation is not required. No useful purpose would be served by detaining him into custody. Therefore, it is urged that the present petition deserves to be allowed.

4. Notice of motion.

5. Learned Senior Deputy Advocate General, Punjab, who has advance notice of the petition and is ready to argue the matter, has submitted that there are serious and specific allegations against the petitioner. He is a man of criminal antecedents as 07 other FIR of similar nature have been registered against him. He had issued cheques in favour of the complainant to

2025:PHHC:021819

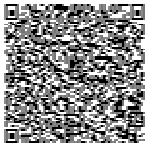


discharge his legally enforceable liability and the same have also been dishonoured. The ingredients for commission of offence under Section 420 of IPC are fully attracted in this case. Custodial interrogation of the petitioner is required for thorough investigation in the matter by the police. Hence, it is urged that the petition is liable to be dismissed.

6. I have heard learned counsel for the parties at considerable length and have also gone through the record carefully.

7. The petitioner is alleged to have cheated the complainant by inducing him to part with a huge amount of money on the pretext of getting issued a visa for sending his son abroad while fully knowing that he would not do so. He is also alleged to have criminally misappropriated that amount of money. The issuance of cheques by the petitioner in favour of the complainant is *prima facie* indicative of the fact that he had received money from the complainant. There are specific and serious allegations against him. For conducting thorough investigation in the matter, his custodial interrogation is must. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. More so, custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. Many useful information can be disinterred during custodial interrogation. It has also to be seen that an order of anticipatory bail does not

2025:PHHC:021819



operate as inroad in the normal legal procedure of criminal cases by the trial Court. It is also a matter of discretion to grant or not to grant pre-arrest bail. Keeping in view the discussion as made above, I am of the considered opinion that no extraordinary or sparing circumstance entitling the petitioner to seek concession of pre-arrest bail has been made out rather his custodial interrogation is required for thorough investigation in the matter by the police. Accordingly, finding no merit, the petition is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

14.02.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>