



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

CRM-M-9646-2025

Reserved on: 18th July, 2025

Pronounced on: 6th August, 2025

Nikhil Thakur

...Petitioner

Versus

U.T., Chandigarh and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sachin Jain, Advocate for the petitioner.
Mr. Manish Bansal, PP, U.T., Chandigarh.
Mr. Raj Sumer Singh, Advocate for respondents No.2 to 4.

MANISHA BATRA, J :-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 08 dated 21.01.2025 registered under Sections 316(2), 318(4) and 336(3) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station Sector 19, Chandigarh.

2. The aforementioned FIR was registered against the petitioner on the basis of two complaints. The first complaint was filed by the complainant Kuldeep Singh on the allegations that the petitioner had represented to him that he knew several military officers as posted in MES, Chandimandir and allured him by saying that he could get his son appointed in military Engineering Service, Chandigarh. He had asked for a sum of Rs. 5,00,000/- in lieu thereof. The complainant paid a sum of Rs. 1,50,000/- in cash and the remaining amount through bank transactions to the petitioner,



but thereafter, he stopped responding to the complainant and cheated him. The second complaint was jointly submitted by Ajay Pratap Singh Bhullar and Divjot Singh, on the allegations that they had been induced by the petitioner to part with a sum of Rs. 7,40,000/- on the pretext of investing money in stock market through the petitioner by promising to get huge returns. To allure the victims, the petitioner used to send screenshots of the growing value of the shares in which the money of the petitioner claimed to have been invested. He had even forged a statement of canara bank showing that a sum of Rs. 4,00,000/- had been deposited in the bank account of one of the complainant. The said money had not been returned when asked for. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre-arrest bail which was dismissed by the Court of learned Additional Sessions Judge, Chandigarh vide order dated 04.02.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Two different complaints have been made part of one FIR though they are containing totally different allegations. The money claimed by complainant Divjot Singh has already been paid by the petitioner. The petitioner has also transferred the entire amount of money as claimed by the complainant Kuldeep Singh in his bank account. Nothing remains to be payable by him. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. No purpose would be served by detaining him in custody. It is, therefore, argued that he deserves to be extended benefit of pre-arrest bail.

4. Status report has been filed. It is argued by learned Public



Prosecutor for U.T., Chandigarh assisted by learned counsel for the complainant that the allegations against the petitioner are serious in nature. He had duped the victims of huge amount of money by making false representation. He is a habitual offender since three more cases of similar nature have been registered against him at different police stations. His custodial interrogation is required to find out the *modus operandi* adopted by him in commission of the subject crimes. No extraordinary or exceptional circumstance for grant of pre-arrest bail is made out in his favour. With these broad submissions, it is urged that the petition does not deserve to be allowed.

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

6. The petitioner is alleged to have duped the respondent No.2 Kuldeep Kumar of a sum of Rs. 4,00,000/- on the pretext of getting his son appointed in military services and he is further alleged to have cheated the victims Divjot and Ajay Pratap Singh of a sum of Rs. 7,40,000/- by inducing them to make investment in stock market, by assuring that they would be fetching good profits, whereas, no such money was got invested. The petitioner's counsel has submitted that some amount of money has been returned to the victims. Learned counsel for the petitioner has submitted that an amount of Rs. 1,50,000/- has been returned by the petitioner to the victim Divjot and an amount of Rs. 2,50,000/- has been returned to victim Ajay Pratap. However, he has remained silent on the question of returning of other amount to the victims. The petitioner cannot be considered to be innocent only because of the fact that he has given back some amount of



money received from the victims. The allegations against him are serious in nature. He had not only duped the victims of money but he has also committed offences/fraud of documents by preparing false and fabricated statements showing the deposits/growing value of such deposits in the amount allegedly invested on behalf of the complainant. The custodial interrogation of the petitioner is required for conducting deeper probe in the matter. It is well settled that custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. Many useful information can be disinterred during custodial interrogation. Moreso, no exception or extra ordinary circumstance warranting exercise of powers for grant of pre-arrest bail is made out in this case. Keeping in view the nature of the subject offences and the role attributed to the petitioner and for the purpose of eliciting the truth, I am of the considered opinion that he does not deserve to be extended benefit of pre-arrest bail. Accordingly, the petition stands dismissed.

7. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

6th August, 2025
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |