



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

CRM-M-33396-2025

Reserved on: 27th August, 2025

Pronounced on: 3rd September, 2025

Naranjan Kaur

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Simranjit Singh, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

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. 354 dated 09.12.2022 registered under Sections 406, 420 and 120-B of IPC and Section 13 of Punjab Travel Professionals (Regulations) Act 2014 at Police Station Rama Mandi, District Jalandhar.

2. The aforementioned FIR has been registered on the basis of complaint lodged by complainant Avtar Kumar, on the allegations that the petitioner Naranjan Kaur and the co-accused, who are her family members induced him to part with a sum of Rs. 12,00,000/- on the pretext of sending him abroad and settling him there. They however, failed to do so. An amount of Rs. 2,00,000/- had been returned by them but they failed to return



the remaining amount of Rs. 10,00,000/-. He had also filed a complaint previously before the police. A compromise was arrived at between the parties. The petitioner and other co-accused had agreed to pay back a sum of Rs. 7,00,000/- in installments but failed to pay the same. While alleging that they had been extending threats to kill him and had cheated him of huge amount of money, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending her arrest, present petitioner had moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Jalandhar, which was dismissed vide order dated 15.01.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. An amount of Rs. 6,00,000/- had been given to the complainant by her family members/herself to the complainant. She is an old aged person suffering from several diseases. Her custodial interrogation is not required. No recovery is to be effected from her. She is ready to join the investigation. The dispute between the parties is of civil nature but has given a criminal colour. The co-accused Ramna Devi, whose case is at a similar footing, has since been extended benefit of bail. On parity, she too deserves to be given the same benefit. It is, therefore, urged that the petition deserves to be allowed.

4. Status report has been filed by respondent-State. Learned State counsel has argued that the petitioner was declared a proclaimed person in some complaints filed under Section 138 of Negotiable Instruments Act, 1881, against herself and co-accused Roshan Lal. The allegations against her are serious in nature. Her custodial interrogation is must. It is, therefore,



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 along with the co-accused is alleged to have duped the complainant of an amount of Rs. 12,00,000/- on the premise of sending him abroad. The co-accused Ramna Devi, whose case is on similar footing, has since been extended benefit of bail. The petitioner along with the co-accused had given some cheques to the complainant, which have been dishonoured. She has been facing trial for the same. Though she had been declared proclaimed person but it is submitted that now she is on bail in all the other complaints pending against her. The dispute between the parties is with regard to the return of money, which was allegedly taken by the co-accused and herself from the complainant. Though she has been booked for commission of offences punishable under section 406 as well as 420 of IPC, but both these offences are antithesis to each other and it is a question of trial as to whether the ingredients of either of these offences are attracted as against the petitioner. Given the nature of the allegations as levelled against the petitioner, this Court is of the considered opinion that her pre-trial incarceration is not required. It is also well settled that pre-trial incarceration should not be a replica of post-conviction. Keeping in view the above discussed facts but without meaning to make any comment on the merits of the case lest they prejudice the trial, this Court holds that the petitioner makes a case for grant of pre-arrest bail. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of pre-arrest bail. The petitioner is directed to appear before the Investigating/Arresting Officer to



join investigation within fifteen days and subsequent also as and when required. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS join investigation.

7. It is further clarified that the observations made above are only for the purpose of consideration of application for pre-arrest bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

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

[MANISHA BATRA]
JUDGE

3rd September, 2025
Parveen Sharma
1. Whether speaking/ reasoned
2. Whether reportable

: Yes / No
: Yes / No