



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

211

CRM-M-34194-2025

Date of decision: 4th September, 2025

Simranjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

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

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

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. 98 dated 09.05.2025 registered under Sections 406 and 420 of IPC at Police Station Lehra, District Sangrur.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Jaspreet Kaur alleging that the petitioner had visited her house in the year 2020 along with some relatives of the complainant. She had represented to the husband of the complainant that she was involved in the work of issuance of tourist visas for Canada and other countries and was also working in an IELTS centre. She induced the complainant and her family members on the premise that she would get



tourist visas issued for them. In lieu thereof, she demanded a sum of Rs. 21,00,000/-. On being so induced by her, the husband of the complainant had given cash amount of Rs. 1,00,000/- as first installment and the remaining amount was agreed to be paid on receipt of visa. The petitioner had collected passports, identity proofs, educational qualifications certificates, details of the account books, voter cards, marriage certificate etc. of the complainant, her husband as well as details of her daughter for the purpose of issuance of visa in September 2021. She informed the complainant and her family members that visas had been issued in their favour and asked them to visit her to collect their passport and to make the remaining payment. Her husband along with some other persons had gone to the house of the petitioner on 08.10.2021 and had given a sum of Rs. 8,00,000/- in cash. On the same evening, the petitioner came to house of the complainant and told them to pay remaining amount of Rs. 12,00,000/- in cash and her family members had given the same. Thereafter, the passport of her husband Sandeep Singh was handed over to him on 28.11.2021 which was having tourist visa of Ukraine. The petitioner represented to her husband that he would be sent to Canada from Ukraine. Her husband reached Ukraine on 29.11.2021, but was deported by the authorities of Ukraine on the very next day. When the complainant and her family members asked the petitioner about the reason for the same, she started putting off the matter on one pretext or the other. On asking to return their money, she agreed to return a sum of Rs. 9,00,000/- by saying that an amount of Rs. 12,00,000/- was spent on sending her husband to Ukraine. The matter was reported to the police in 2022, but no action was taken. As



such, she prayed for taking penal action against the petitioner. After registration of FIR, investigation proceedings have been initiated and the same are underway. Apprehending her arrest, the petitioner moved an application for grant of a pre-arrest bail before the Court of learned Additional Sessions Judge, Sangrur, vide order dated 11.06.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. Four separate inquiries were previously conducted in the matter and no offence was found to be made out against her or the co-accused, but despite that, this FIR was registered. The dispute between the parties is purely of civil nature and is a monetary dispute, which has been given a criminal colour. She had joined inquiry proceedings previously. She is ready to join the investigation even now. Her custodial interrogation is not required. No recovery is to be effected from her. The subject offences are triable by Magistrate. The ingredients for commission of offence of cheating or criminal breach of trust are not at all attracted against her. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed. Learned Assistant Advocate General, Punjab, has argued that there are serious and specific allegations against the petitioner who, in connivance with the co-accused, had deputed the complainant of an amount of Rs. 21,00,000/- on the pretext of sending the complainant and her family members to Canada, but neither they were sent there nor their money was returned. For conducting thorough and proper investigation in the matter, her custodial interrogation is must. Therefore, it is urged that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at



considerable length and has gone through the record carefully.

6. The petitioner, in connivance with the co-accused, is alleged to have induced the complainant and her family members to part with a sum of Rs. 21,00,000 on the premise of sending them abroad. However, they were not so sent. The petitioner has claimed that the dispute between the parties was of civil nature, but what was the nature of that civil dispute, has not been explained in the petition. The petitioner is alleged to be an active participant in the subject offences. For conducting proper investigation in the matter, her custodial interrogation is a must. In case her custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby adversely affecting the investigation. The case is at its nascent stage. 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. The Court has also to see that an order of anticipatory bail should not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extraordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition



does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that the 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

4th September, 2025

Parveen Sharma

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