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

CRM-M-34441-2025

Date of decision: August 12, 2025

Karanbir Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

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

Mr. Jasjit Singh, DAG Punjab.

Mr. Narinder S. Lucky, Advocate and
Ms. Jaya Kohli, Advocate for the complainant.

SUMEET GOEL, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of concession of anticipatory bail to the petitioner in case FIR No.58 dated 18.05.2024, under Sections 406, 420, 120-B of the Indian Penal Code, 1860 (for short 'IPC') and Section 24 of the Immigration Act, registered at Police Station NRI District Amritsar Police Commissionerate.

2. On 04.07.2025, the following order was passed:

"Instant petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking anticipatory bail in FIR No.58 dated 18.05.2024 under Sections 406, 420, 120-B of the Indian Penal Code, 1860 and Section 24 of Immigration Act, registered at Police Station NRI, District Police Commissionerate Amritsar.

Learned counsel for the petitioner, inter alia, contends that the petitioner himself is a victim of cheating at the hands of co-accused and much prior to registration of FIR (supra), he made a complaint against co-accused before the Commissioner of Police, Amritsar, in which co-accused had agreed to return the amount taken from the complainant on the pretext of sending him abroad. The petitioner has already returned Rs.4.95 lakhs to the complainant. Further, the petitioner is a student,



having clean antecedents and he is not working as travel agent. Moreover, the maximum sentence provided for the offences, under which the FIR (supra) is registered, is punishable upto 07 years.

Notice of motion for 06.08.2025.

Keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, the petitioner is directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioner will be admitted to interim anticipatory bail on furnishing bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall cooperate with the investigation/Arresting Officer and abide by the conditions as provided under Section 482(2) of BNSS (erstwhile Section 438(2) of the Code of Criminal Procedure, 1973).

If the Arresting Officer does not permit the petitioner to join the investigation, he would appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioner in the investigation, in terms of the order of this Court.

Nothing observed hereinabove shall be construed as an expression of opinion by this Court and learned trial Court shall decide the case on its own merits, strictly in accordance with law."

3. Learned State counsel (on instructions from SI Parvinder Kaur) has stated that pursuant to the order dated 04.07.2025, the petitioner has indeed joined investigation, and his custodial interrogation is not required, except for effecting recovery of money in question.
4. Learned counsel for the complainant has vehemently opposed grant of anticipatory bail to the petitioner. Learned counsel has argued that the allegations leveled against the petitioner are serious in nature. He has submitted that in case, the petitioner is extended the concession of anticipatory bail, there is all likelihood that the petitioner may abscond the trial and interfere in the prosecution evidence/ investigation.
5. Keeping in view the entirety of the factual milieu of the case; especially, the petitioner having joined investigation and his custodial interrogation is being sought for only effecting recovery of money in



question, the interim order dated 04.07.2025 is made absolute, subject to the conditions as enumerated under Section 482(2) of BNSS.

6. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 482(2) of BNSS or upon showing any other sufficient cause.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

9. Pending application(s), if any, shall also stand disposed of.

(SUMEET GOEL)
JUDGE

August 12, 2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No