



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

220

CRM-M-36873-2025
Date of decision: 12th August, 2025

Mohammad Shahid

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sukhmeet Singh, Advocate for the petitioner.
Ms. Ramta Chowdhary, Deputy Advocate General, Punjab.
Mr. Vipul Babuta, Advocate for the complainant.

MANISHA BATRA, J (ORAL):-

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short “BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
40	11.04.2025	Meharban, District Police Commissionerate Ludhiana	318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of complaint submitted by the complainant Bhagwant Singh alleging that accused Imran Khan, was running an immigration office in the name of Effrox Consultancy. He had told the complainant that he used to send youths



to Romania on work permit. He allured him by showing that he could get visa and work permit for two years for the complainant if he gave a sum of Rs. 2,80,000/-. He also induced the complainant to talk to his friends and relatives and to convince them to go to Romania. The complainant discussed with his acquaintances and relatives who were interested to go abroad. All of them had gone to the accused Imran Khan who took a sum of Rs.4,000/- from each person for conducting their medical examination. Thereafter, he demanded a sum of Rs.80,000/- from each of them in the name of issuance of work permit. The petitioner-Mohammad Shahid, father of the co-accused Imran Khan, collected a sum of Rs.5,50,000/- from all of them after visiting Ludhiana and this fact was video recorded. Accused Imran Khan had also taken bank drafts from three companions of the complainant and some of them had made online payments to the co-accused which was about Rs. 6,00,000/- in *toto*. After taking an amount of Rs.11,50,000/- from them, the co-accused Imran Khan did not send them abroad and kept on lingering in the matter. When the complainant and other victims demanded their money, he rather started extending threats to them.

3. 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 has been dismissed by the Court of learned Additional Sessions Judge, Ludhiana vide order dated 07.07.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is not running any travel agency. No amount of money has been received by him from the complainant and he is



not beneficiary of any transaction. He is ready to join the investigation. His custodial interrogation is not required. Neither any recovery is to be effected from him. Therefore, it is, urged that the petition deserves to be allowed.

5. Status report has been filed by respondent-State. It is argued by learned State counsel assisted by learned counsel for the complainant that the petitioner was an active participant in the conspiracy hatched by the co-accused Imran and an amount of Rs. 5,50,000/- out of the total amount of Rs. 11,50,000/- was taken by him from the complainant and his family members in cash. He had also participated in preparing forged and fabricated documents. His custodial interrogation is must for conducting thorough and proper investigation in the matter. No extraordinary or exceptional circumstance for grant of pre-arrest bail is made out. Therefore, it is argued that the petition does not deserve to be allowed.

6. Rival contentions raised by learned counsel for the parties have been considered.

7. The petitioner by hatching conspiracy with the co-accused is alleged to have duped the complainant and other victims of a sum of Rs.11,50,000/-. The case is at its nascent stage. For conducting thorough investigation and for eliciting information about the manner in which the offence of cheating had been committed by the petitioner, his custodial interrogation is required. The powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. 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.

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

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

[MANISHA BATRA]
JUDGE

12th August, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*