



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

207

CRM-M-43186-2024

Date of decision: 7th May, 2025

Manjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Anchal Jain, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

Mr. Mitul Singh Rana, Advocate for the complainant.

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. 166 dated 05.08.2024 registered under Section 420 of IPC and Section 24 of Immigration Act at Police Station Dasuya, District Hoshiarpur.

2. The aforementioned FIR was registered on the basis of complaint lodged by the complainant Prabhjot Singh alleging therein that the petitioner had induced him to part with a sum of Rs. 22,94,000/- by representing to him that he was involved in the business of sending people abroad and would send him to USA. The complainant was sent to Bangkok from Delhi and then to some other country but was called back to Delhi by the petitioner. He was made to stay at Delhi and then was flown to Dubai



and then had been sent to Armenia by saying that he would be sent to USA. The petitioner kept on extracting money from the complainant and had sent him to some other countries also but he was made to return finally. The petitioner had sent a ticket for Italy to the complainant which was found to be fake. Realizing that he had been cheated, the complainant demanded his money and passport back but the same were not returned by the petitioner. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, present petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Hoshiarpur which was dismissed vide order dated 21.08.2024.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is involved in the business of finance. He had borrowed a sum of Rs. 6,50,000/- from the complainant and had returned the same, however, the complainant and his family members were demanding a sum of Rs. 22,94,000/- from him. The allegations of sending the complainant to different countries are totally false. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Accordingly, it is urged that he deserves to be extended benefit of bail.

4. *Per contra*, learned Assistant Advocate General, Punjab, assisted by learned counsel for the complainant has submitted that there are serious and specific allegations against the petitioner, who represented to the complainant that he would send him to USA but by way of manipulation and by making mis-representation with a dishonest intention, he had sent the complainant to some small countries from where he was called back and had



duped him of a huge amount of money. His custodial interrogation is required for conducting thorough investigation in the matter as well as for effecting recovery of the money taken by him from the complainant. No extra ordinary or sparing circumstance has even otherwise been made out for the purpose of extending benefit of anticipatory bail to the petitioner. Accordingly, 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 induced the complainant to part with a huge amount of money on the pretext of sending him abroad but with an dishonest intention, the petitioner did not send him to the desired country of the complainant and rather sent him to some small countries from where also he was called back. He was left in a forest between German and Belarus and was subjected to cruelties and it was with great difficulty that he could come back. Learned counsel for the complainant has placed on record certain photographs showing that the petitioner had been issuing advertisements to the effect that he was an overseas man power consultant and was running a firm which was approved by Ministry of External Affairs and that he was also an immigration agent, who was getting issued tourist visas for Canada. The allegations against the petitioner are serious in nature. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is also well settled that 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 extra ordinary 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, I am 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

7th May, 2025

Parveen Sharma

1. *Whether speaking/ reasoned*

: *Yes / No*

2. *Whether reportable*

: *Yes / No*