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(206)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision : 18.11.2025

ANMOL RATTAN

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Jaskamal Singh Grewal, Advocate
for the petitioner.

Mr. M.S. Toor, A.A.G., Punjab.

Mr. C.S. Rana, Advocate
for the complainant.Mr. Vikrant Pujara, Advocate
for the victims-Surjit Singh & Sandeep Kaur.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 482 BNSS, 2023 is for the grant of anticipatory bail to the petitioner in case FIR No.164 dated 17.07.2025 registered under Sections 316(2), 318(4) of BNS, 2023 at Police Station Shahkot, District Jalandhar Rural, Punjab.

2. As per the allegations levelled by the complainant, she along with her brother Hardeep Singh and niece Sandeep Kaur paid a sum of Rs.31,50,000/- to the petitioner on the assurance that he would provide a job as a DSP, Constable and SHO respectively to the three aggrieved persons. However, no such employment was provided to any of the aggrieved persons and it transpired that the petitioner was impersonating as a police official.

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3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact, the petitioner runs a taxi. The dispute between the parties is financial in nature. The petitioner had given sum of Rs.14 lakhs to the complainant, her father and her relatives Surjit Singh, father of Sandeep Kaur. When the said money was not returned, the instant FIR has been registered as a pressure tactic. In fact, the wife of the petitioner has already filed multiple cases under the Negotiable Instruments Act against the complainant. A civil suit has also been instituted for the recovery of the money. It does not stand to reason that the complainant was unaware that the petitioner who is a relative was not a police official. As the petitioner has joined investigation and cooperated with the same, he is entitled to the concession of anticipatory bail.

4. A reply dated 16.10.2025 by way of an affidavit of Onkar Singh Brar, PPS, Deputy Superintendent of Police, Sub Division, Shahkot, Jalandhar (Rural) has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. While referring to the reply, he contends that the complainant and the other aggrieved persons paid a sum of Rs.31,50,000/- to the petitioner who masqueraded as an IPS Officer. The said amount of money was paid on the assurance of the petitioner that he would provide a job as a DSP, Constable and SHO respectively to the complainant, her brother Hardeep Singh and her niece Sandeep Kaur. However, apparently, the petitioner was unable to do so as he was merely a taxi driver. As the

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offence stands *prima facie* established and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required and therefore, he is not entitled to the concession of anticipatory bail.

5. A reply dated 13.10.2025 has been filed on behalf of the complainant by the learned counsel for the complainant. The same is taken on record. While referring to the reply, he contends that the petitioner and his wife solemnized their marriage three years ago against the wishes of the family members of the petitioner's wife. With the passage of time the parents of the petitioner's wife accepted the marriage and they started visiting village Baupur. In fact, the petitioner took a huge amount of money in cash and through banking transactions on the pretext that money was to be paid to higher police officials for the purposes of obtaining employment in the Police Department. Blank signed cheques were also taken not only from the complainant but also from her niece Sandeep Kaur. The said cheques have been misused by the wife of the petitioner to file complaints under Section 138 of the Negotiable Instruments Act. While referring to Annexure C-1, he contends that the wife of the petitioner was impersonating as an ASP of the CBI. The petitioner on his linked in account called himself IPS Anmol Rattan. He has put up various photographs/posts on social media calling himself an IPS Officer. These pictures etc. were sent to her by the petitioner on WhatsApp. Because of these reasons, the complainant and her family members were misled and parted with a sum of Rs.31,50,000/- on the pretext of being provided jobs with the Police



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Department. As the offence is *prima facie* established and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required and therefore, he prays that the present petition is liable to be dismissed.

6. I have heard the learned counsel for the parties.

7. The Hon'ble Supreme Court in the case of ***Sumitha Pradeep Vs. Arun Kumar C.K. & Anr.*** 2022 Live Law (SC) 870 held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the *prima facie* case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

“It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and,



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therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.

8. As per the allegations levelled in the FIR and the investigation conducted so far, the petitioner received a sum of Rs.31,50,000/- on the pretext of providing the complainant and her family members jobs in the Police Department. He along with his wife were impersonating as IPS Officers on various social media sites. Communications made to the complainant are also suggestive of the fact



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that the petitioner was masquerading as a police official of the IPS cadre. A perusal of the FIR would reveal that the complainant has travelled to Port Blair and other places on the pretext of being provided a job as a DSP. On reaching Port Blair the complainant met her cousin Mandeep Kaur wife of the petitioner who stated that she was an ACP and she had been given a job in the Police Department at the instance of her husband Anmol Rattan. She produced a fabricated I.D. Card before the complainant. Thereafter, she was taken to Ajmer on the same pretext of being provided a job. She also went to Sirhind. She also came to Mohali at the instance of the petitioner. The blank cheques demanded by the petitioner from the complainant and her family members have apparently been misused to institute proceedings under the Negotiable Instruments Act. Apparently, the offences stand *prima facie* established against the petitioner. Further, the investigation is to be taken to its logical conclusion for which the custodial interrogation of the petitioner is certainly required.

9. In view of the aforementioned discussion, I find no merit in the present petition. Therefore, the same stands dismissed.

10. However, the observations made hereinabove are only for the purposes of deciding this bail petition and the Trial Court is free to adjudicate upon the matter on the basis of the evidence led before it uninfluenced by any such observations made herein.

(JASJIT SINGH BEDI)
JUDGE

18.11.2025 Whether speaking/reasoned:- Yes/No
JITESH Whether reportable:- Yes/No