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

**CRM-M No.48130 of 2025
Date of Decision: 20.11.2025
Reserved on: 18.11.2025**

Paramjeet @ Paramjit Kaur and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Barjinder Singh, Advocate,
for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Mikhail Kad, Advocate,
for the complainant.

MANISHA BATRA, J.

1. The petitioners herein have jointly moved this petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking pre arrest bail in case arising out of FIR No.129 dated 25.07.2025 registered under Sections 420 and 120-B of IPC at Police Station Sadar Sangrur, District Sangrur, on a complaint submitted by the complainant Satwinder Singh who was married with Prabhjot Kaur daughter of the present petitioners on 04.09.2022, on the allegations that Rajbir Kaur and Des Raj, mediators had approached the complainant for entering into matrimonial alliance with Prabhjot Kaur by showing that

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she had cleared IELTS examination and if the complainant got married with her, she would take him to Canada along with her. With the intervention of the above named intermediaries, a written agreement was executed between families of Prabhjot Kaur and of the complainant whereby an amount of Rs.25 lakhs was agreed to be given to Prabhjot Kaur as her study fees for going to Canada and staying there as well as for incurring expenditure for marriage of the complainant and Prabhjot Kaur. On being induced by the petitioners, the family of the complainant had transferred an amount of Rs.6,85,708/- and Rs.7 lakhs respectively in the bank accounts of the petitioners. Subsequently, also the complainant spent different amounts of money for facilitating of Prabhjot Kaur going abroad. Their marriage took place on 04.09.2022. No money whatsoever had been spent by the petitioners in the marriage ceremony.

2. As further alleged, just two days after the marriage of the Prabhjot Kaur with the complainant, she had gone to her parents house. Thereafter, the petitioners had started demanding more money from the complainant though already an amount of Rs.18 lakhs had been spent by the complainant. Prabhjot Kaur left for Canada and did not make any efforts whatsoever for taking the complainant along with him. By alleging that the petitioners and Prabhjot Kaur had done so in pursuance of a conspiracy already hatched amongst themselves and had cheated him and caused wrongful loss of huge amount of money, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been

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initiated and are underway. Apprehending their arrest, the petitioners had moved applications for grant of pre arrest bail which had been dismissed by the Court of learned Additional Sessions Judge, Sangrur vide two different orders dated 18.08.2025.

3. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case. The marriage between the parties was contract marriage and it was agreed that the complainant will be taken abroad after the marriage when Prabhjot Kaur reaches abroad. The complainant had also agreed to pay GIC fees of Prabhjot Kaur. However, soon after the marriage, he filed a suit for permanent injunction for restraining Prabhjot Kaur to go abroad. He also filed a complaint against her and had also levelled allegations against cheating and her looks. The daughter of the complainant had filed a petition under Section 9 of Hindu Marriage Act for restitution of conjugal rights but the complainant was not interested and rather he has been dragging the family of the petitioners into unnecessary litigation. The amount of money which was deposited in their bank account had been spent for paying fees of Prabhjot Kaur at the outset. However, on account of differences having arisen between Prabhjot Kaur and the complainant since the very inception of marriage, she was constrained to leave her house. The petitioners did not do any overt act to cheat the complainant. Thorough investigation was previously conducted in the matter and a cancellation report was submitted. The dispute between the parties is of civil nature which has been given a criminal colour. They are

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ready to join the investigation. Their custodial interrogation is not required. No recovery is to be effected from them. The case is based on documentary evidence which is already available with the investigating agency. It is, therefore, argued that the petition deserves to be allowed.

4. Per contra, learned Assistant Advocate General, Punjab assisted by learned counsel for respondent No.2-complainant has argued that there are serious and specific allegations against the petitioners who in connivance with their daughter Prabhjot Kaur had cheated the complainant and caused wrongful loss of money to him. For recovery of the amount and for conducting thorough investigation in the matter, custodial interrogation of the petitioners is must. It is, therefore, argued that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioners are alleged to have hatched a conspiracy with their daughter Prabhjot Kaur who had performed a contract marriage with the complainant on the assurance that her educational expenses and her study fees etc. would be born by the complainant, in lieu thereof she would take him to abroad. As per the allegations, Prabhjot Kaur had gone to Canada but did not make any efforts to take the complainant along with him. The documents placed on record show that soon after the marriage of the complainant and Prabhjot Kaur, litigation had started between them. Annexure P-2 is copy of a complaint shown to be submitted by the complainant before SSP, Sangrur showing that he was duped by Prabhjot

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Kaur and her family due to the reason that it was represented that she had minor injury mark on her forehead but after marriage, he came to know that she had undergone a major surgery and was having stitches all over her head. It was also alleged that the complainant had transferred money in the bank account of the petitioners for payment of study fees of Prabhjot Kaur. It is not in dispute that the amount deposited in the bank account of the petitioners was used for depositing study fees of Prabhjot Kaur in Algoma University, Canada even before their marriage. It appears to be a case of breach of a contract. The case is based on documentary evidence. Given the nature of the allegations as levelled in the FIR, this Court is of the considered opinion that custodial interrogation of the petitioners is not required. It is well settled that pre trial incarceration should not be a replica of post conviction sentencing. It is only on the basis of thorough evidence to be produced during trial that it can be concluded as to whether the ingredients for commission of offence of cheating are attracted against the petitioners or not? Keeping in view the above discussed facts, in the opinion of this Court, a case for grant of pre arrest bail has been made out in favour of the petitioners. Accordingly, the petition is allowed and the petitioners are ordered to be extended benefit of anticipatory bail, subject to their surrendering before the Investigating Officer/Arresting Officer within a period of ten days from the date of passing of this order and shall join investigation and on their surrender within that period, they shall be released on bail by the Investigating Officer/Arresting Officer on furnishing



personal/surety bonds to its satisfaction and subject to the following conditions:-

- (i) The petitioners shall cooperate with the investigation and shall appear before the Investigating officer/Arresting officer as and when required.
- (ii) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer.
- (iii) They shall not commit any similar offence while on bail.
- (iv) They shall not leave the country without prior permission of the Court.
- (v) They shall deposit their passport if any, with the jurisdiction Magistrate/trial Court.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

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

20.11.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No