

CRM-M-53500-2025
Date of decision: 22.09.2025

...PETITIONER

V/S

...RESPONDENT

Present: Mr. Harsh Chopra, Advocate and
Mr. Satnam Singh, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Present petition is filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.124 dated 09.08.2025 under Sections 316(2) and 318(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') registered at Police Station Anandpur Sahib, Ropar (Annexure P-5).
2. Learned counsel for the petitioner contended that the petitioner has been falsely involved in the present case; he is a practicing lawyer at Sub-Division Sri Anandpur Sahib of District Rupnagar and has nothing to do with the alleged offence and the complaint is against father of the petitioner, namely, Pritpal Singh and co-accused, namely, Manpreet Singh Khurana; neither the petitioner received any amount from the complainant nor did he give any assurance to the complainants to send them abroad. Further, in a similarly situated case, petitioner has been granted the concession of anticipatory bail by a Co-ordinate Bench of this Court in case bearing



No.*CRM-M-18326 of 2025* vide order dated 28.04.2025; the petitioner is ready to join the investigation and prayed for grant of anticipatory bail. Furthermore, complaints under Section 138 of Negotiable Instruments Act, 1881 have also been filed by the complainants against co-accused, Manpreet Singh Khurana and not against the petitioner.

3. Mr. Aditya Anand, Advocate has put in appearance on behalf of the complainant and filed his memo of appearance. Learned counsel for the complainant vehemently opposed the prayer made by the petitioner and submitted that present petitioner has actively participated in the commission of offence as he himself admitted the fact regarding financial dealing with co-accused, Manpreet Singh Khurana, who deals in sending people abroad, so money has been routed through Manpreet Singh Khurana in his bank account and the petitioner is beneficiary of duped amount. Further, there are WhatsApp chats between the complainants and petitioner regarding transactions of money in the account of co-accused Manpreet Singh Khurana. Moreover, petitioner is also involved in similar nature of cases in other FIRs and is required for custodial interrogation.

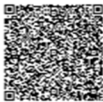
4. Upon advance notice, learned State counsel appears and opposed the prayer made by the petitioner by submitting that there are 08 complainants in the present case and the petitioner was present at the time of negotiation when money was handed over to co-accused. As such, learned State counsel prayed for dismissal of anticipatory bail to the petitioner as he is required for further custodial interrogation. It is further alleged that having enrolled as an advocate does not permit a person to involve in any illegal activities.

5. Heard.



6. Keeping in view the allegation levelled against the petitioner that he is involved in a racket of receiving the amount on deception to people on account of sending them abroad; except the present one, the petitioner is involved in two more cases of similar nature; the petitioner has financial dealing with co-accused, Manpreet Singh as admitted in para No.12 of the present petition itself. Moreover, it is alleged that the complainants had deposited the amount in the account of Manpreet Singh Khurana on the asking of present petitioner and to support these allegations, WhatsApp chat is on record. Petitioner is also beneficiary of the amount received by co-accused. As custodial interrogation of the petitioner is required for collecting the evidence and for recovery of money, anticipatory bail cannot be granted to the petitioner in view of law laid down by the Hon'ble Supreme Court in case titled as '***CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806' decided on 03.08.1997,*** wherein it has been held as under:-

"....custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disinterring offences would not conduct themselves as offenders."



7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

8. Nothing observed hereinabove shall be construed as an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

September 22, 2025
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(SUBHAS MEHLA)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No