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**101+216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-63856-2025 (O&M)

Decided on: 09.12.2025

Ranjodh Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.A.P.S. Sandhu, Advocate, for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab

Mr. Karamjeet Singh, Advocate, for the complainant.

Rajesh Bhardwaj, J.**CRM-49484-2025**

Prayer in the present application is for impleading the complainant, namely, Hardeep Singh as respondent No.2 in the present petition.

Notice in the application.

Ms. Ramta Chowdhary, DAG, Punjab, accepts notice on behalf of the State and pleads no objection, if the present application is allowed.

For the reasons mentioned in the application, the same is allowed. The complainant, namely, Hardeep Singh is ordered to be impleaded as respondent No.2 in the present petition. Amended memo of parties annexed with the application is taken on record.

Main case

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.29 dated 30.03.2023, registered under Sections 406, 120-B IPC and Section 13 of Punjab Prevention of Human Smuggling Acts 2012, at Police Station Dhakoli, District Mohali.

2. Succinctly facts of the case are that the FIR in the present case was lodged on the statement of the complainant, namely, Hardeep Singh. It



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was alleged that the complainant has three sons and his younger son Narinderpal Singh resides with him. Ramandeep Kaur, Daughter-in-law of the complainant is a Government teacher and the complainant wanted to send his daughter-in-law and grandson to USA. He was introduced with Surinder Mahila, who sends people abroad. He contacted Surinder Mahila, who told him that he jointly works with Bikramjeet Singh and Ranjodh Singh (petitioner). A meeting for him was arranged by Surinder Mahila with Bikramjeet Singh and Ranjodh Singh in October, 2021. The complainant was told to pay Rs.40 lacs for sending one person abroad, out of which he has to pay Rs.5 lacs in advance. They agreed to send his daughter-in-law and grandson to USA via another country, from where they had access to USA. An amount of Rs.10 lacs was paid in the last week of October, 2021 to Surinder Mahila and thereafter, another Rs.15 lacs were paid to them. The complainant was informed that they would send daughter-in-law and grandson to Nairobi, Kenya from where they would be sent to America. On 19.11.2021, his daughter-in-law and grandson boarded on flight and they reached Nairobi, Kenya. In December, 2021, Ranjodh Singh came to him and told that Vikramjit Singh, Advocate and his friend Parminder Singh Toor, with whom he works, were responsible for arranging visas for Nairobi, Kenya and demanded another Rs.20 lacs, failing which his daughter-in-law and grandson would not be able to reach America. Having no other option, the complainant gave another Rs.20 lacs to Ranjodh Singh. Neither his daughter-in-law and grandson were sent to USA nor his money has been returned to him. Both his daughter-in-law and grandson remain stranded in Nairobi, Kenya. The complainant found himself having cheated for an amount of Rs.65 lacs and thus, request was made to take legal action



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against the culprits. On the registration of the FIR, the investigation commenced. Apprehending arrest, the petitioner approached the Court of learned Additional Sessions Judge, SAS Nagar for the grant of anticipatory bail. However, after hearing both the sides, finding no merit in the petition filed by the petitioner, learned Court dismissed the same vide order dated 19.09.2025. Hence, aggrieved by the same, the petitioner is before this Court by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. It is submitted that the allegations against the petitioner are totally false and frivolous as he had no concern with the co-accused Bikramjit Singh and Surinder Mahila. He submits that no money has been received by the petitioner. He submits that some of the money was transferred in the account of the petitioner and he has transferred Rs.3 lacs in the account of the complainant. He, thus, submits that no *prima facie* case as alleged against the petitioner is made out and hence, he deserves to be granted anticipatory bail.

4. Learned counsel for the complainant has vehemently opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner alongwith the co-accused duped the complainant for an amount of Rs.65 lacs. It is submitted that daughter-in-law and grandson of the complainant were assured to be sent to USA, but they were clandestinely sent to Nairobi, Kenya, where they remain stranded. Thereafter, the complainant found himself to be cheated as neither his daughter-in-law and grandson were sent to USA nor his money was returned to him.



5. Learned State counsel has also opposed the submissions made by counsel for the petitioner. He has submitted that in connivance with the co-accused, the petitioner cheated the complainant with a huge amount. He, thus, submits that no ground for grant of anticipatory bail to the petitioner, is made out.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that there are specific allegations against the petitioner that he alongwith co-accused allured the complainant for sending his daughter-in-law and grandson to USA via Nairobi, Kenya. As per their demand, the complainant paid them a heavy amount. Daughter-in-law and grandson of the complainant were sent to Nairobi and both of them are stranded there. Neither money of the complainant was returned nor daughter-in-law and grandson were sent to USA. The complainant found to have been cheated for an amount of Rs.65 lacs. Counsel for the petitioner submitted before this Court that out of the alleged amount of Rs.65 lacs, allegations against the petitioner are only qua Rs.6 lacs and he is ready to return the amount to the complainant, to which counsel for the complainant vehemently opposed. Thus, this Court finds that there are specific allegations against the petitioner and the co-accused.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

482“Direction for grant of bail to person apprehending arrest:

- 1. When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the*



event of such arrest, he shall be released on bail.

2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person 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 from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section."*

8. Hon'ble Supreme Court in **State represented by CBI Vs. Anil Sharma**, (1997) 7 SCC 187 has held as under:-

"6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under [Section 438](#) if 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



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disintering offences would not conduct themselves as offenders.”

9. Hon’ble Apex Court in plethora of judicial precedents including Gurbaksh Singh Sibbia Vs. State of Punjab, AIR 1980 SC 1632, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

11. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioner does not qualify for exercising the extraordinary power by this Court in his favour. Resultantly, the petition being devoid of any merit is hereby dismissed.

12. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

09.12.2025

sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No