

2025:PHHC:160558



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

102

CRM-M No.64975 of 2025

Date of decision: 18.11.2025

Ramandeep Kaur @ Raman Kaur ... Petitioner
Vs.
State of Punjab and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Lalit Singla, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The instant one is the second petition as filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") for grant of anticipatory bail in case arising out of FIR No.0048 dated 28.03.2025 registered under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 24 of Immigration Act (Section 61(2) of BNS was added later on) at Police Station Dasuya, District Hoshiarpur. Her previous petition bearing CRM-M No.35376 of 2025 was dismissed by this Court vide order dated 09.07.2025.

2. The petitioner has been booked for commission of the aforementioned offences along with the co-accused, who is her husband

2025:PHHC:160558



on the allegations that they induced the complainant to part with a sum of Rs.43.55 lakhs on the premise of sending his son abroad. They had also taken passport of the son of the complainant. The son of the complainant was taken by the petitioner and the co-accused along with them on 11.10.2024. They started demanding more money thereafter. An audio message from the son of the complainant was received on 18.12.2024 informing that he was abducted by a Mafia and demand of money was made. The petitioner and the co-accused instead of giving information about the whereabouts of the son of the complainant, rather started extending threats to him and raised demand of more money. By alleging that the complainant had been cheated at their hands and his son had been abducted, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. The husband of the petitioner was arrested and now he has been extended benefit of bail.

3. The previous petition as filed by the petitioner had been dismissed by making the following observation:-

“The petitioner by hatching a conspiracy with her husband is alleged to have duped the complainant of a sum of Rs.43.55 lakhs on the pretext of sending his son abroad on study/tourist visa. The son of the complainant is, however, alleged to be missing/abducted till date. As per the allegations, an amount of Rs.2 lakhs and passport of the victim had been given to the

2025:PHHC:160558



petitioner specifically. The allegations prima facie show her active participation in the occurrence. The allegations against the petitioner are serious in nature. For the purpose of conducting thorough investigation in the matter, her custodial interrogation is therefore must. It is well settled proposition of law that custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of the BNSS. Many useful information can be disinterred during custodial interrogation. It is also a matter of discretion to grant or not to grant pre-arrest bail. Keeping in view the nature of the subject offences and no extra-ordinary circumstance is shown to have been made out in this case, I am of the considered opinion that custodial interrogation of the petitioner is required for conducting thorough investigation in the matter by the police. Accordingly, no ground for extending benefit of pre-arrest bail is made out. Hence, the petition stands dismissed.”

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. Her husband has now been extended benefit of regular bail. A compromise had been effected between the complainant and themselves on 31.07.2025 and in pursuance of that, the complainant received a sum of Rs.30 lakhs from them out of total agreed amount of Rs.45 lakhs. The complainant had to record a statement in compromise quashing petition to be filed by the petitioner and her husband i.e. co-accused but the complainant has retracted from the terms

2025:PHHC:160558



of the compromise. Even final report against the co-accused stands presented. There was not specific allegation against the petitioner who is a person of clean antecedents. Her custodial interrogation is not required. No recovery is to be effected from her. It is, therefore, urged that in the changed circumstances, she deserves to be extended benefit of pre arrest bail.

5. Notice of motion.

6. Ms. Ruchika Sabherwal, Sr. DAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by her that there is no substantive or new change in the circumstances warranting exercise of powers under Section 482 of BNSS by this Court. The previous petition of the petitioner had been dismissed by passing a detailed order. The son of the victims is still missing. They had been duped of a huge amount of money on the pretext of sending him abroad on the study/tourist visa. It is, therefore, urged that the petition does not deserve to be allowed.

7. This Court has considered the rival submissions.

8. The petitioner along with the her husband had induced the complainant to give a huge amount of money on the representation that his son would be sent abroad. His son had gone with the petitioner and the co-accused on 11.10.2024 and eversince then his whereabouts are not known. The petitioner and her husband might have given an amount of

2025:PHHC:160558



Rs.30 lakhs to the complainant, however, the said fact cannot be considered to be a new or substantive change in the circumstances thereby entitling the petitioner to extend benefit of bail. A deeper probe is required to be conducted in the matter and for that purpose, the custodial interrogation of the petitioner is must. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. The case is at its nascent stage. It is well settled that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The powers for grant of pre arrest bail are required to be exercised in exceptional and extraordinary circumstances. However, no such circumstance appears to have been made out in this case. Considering all these facts, this Court is of the considered opinion that the petitioner does not deserve to be extended benefit of pre arrest bail. Accordingly, the petition is dismissed.

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

18.11.2025
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No