



CRM-M-72191-2025

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

CRM-M-72191-2025

Decided on: 22.12.2025

Ajay Thapar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sandeep Chopra, Advocate, for the petitioner.

Ms. Ramta Chowdhary, DAG, Punjab.

Rajesh Bhardwaj, J.

1. Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.201 dated 06.10.2025, registered under Sections 406, 420, 120-B IPC at Police Station Civil Lines, District Patiala.
2. Succinctly, facts of the case are that the FIR in the present case was lodged on the statement of Hari Singh and Malagar Singh. It was alleged that the complainants along with their wives, Paramjit Kaur and Saranjit Kaur, respectively, made a plan to visit Dubai on tourist Visa. To purchase four air tickets and a tour package to Dubai, they went to the office of Thapar Travels on 16.11.2022. Where, they met Simran Nanda, an employee of Thapar Travels, who told them to pay Rs. 59,000 per member for the air tickets and tour package to Dubai from Amritsar. When they intended to pay the amount through cheque, Ajay Thapar (petitioner) asked them to give cheques in the names of Sahil Thapar and Rakesh Kumar. The said accused took them into confidence and promised to sell them the said four tickets to Dubai for a total amount of Rs.2,36,000/-. After getting two cheques signed by their wives, they handed over the same alongwith



necessary papers to Simran Nanda on the same day. She informed them that the flight from Amritsar to Dubai would be on 13.12.2022. The cheques given by them were encashed by the accused. Before 13.12.2022, Simran Nanda called them and informed that their flight date has changed to 17.12.2022. When they reached the office of the said Thapar Travels on 13.12.2022 to take the print out of their confirmed air tickets, they found the office of the accused to be locked and no person was picking up their phone. On inquiry, they came to know that Ajay Thapar has shifted to Patiala. The complainants with their wives tried their best to meet Ajay Thapar but it all went in vain. Thereafter, they got a call from Simran Nanda that she would be in office on 19.12.2022 and will return the cheques for the total amount taken from them. However, when they reached the office on 19.12.2022, it was found to be closed and Simran Nanda did not pick up the phone calls. The complainants found themselves to be cheated and, thus, a request for registration of the FIR was made. On the registration of the FIR, the investigation commenced. Apprehending arrest, the petitioner approached the Court of learned Additional Sessions Judge, Patiala praying for grant of anticipatory bail, however, after hearing both the side, learned Court declined the same, vide order dated 17.11.2025. Hence, the petitioner is before this Court by way of filing the present petition praying for grant of anticipatory bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the present case. He submits that the petitioner has been roped in the present FIR for the alleged offence committed by his son Sahil Thapar. He submits that previously the



petitioner was doing business of travel agency through a firm 'Thapar International' and had a valid licence for the said agency. Thereafter, son of the petitioner also joined the said business. Son of the petitioner Sahil Thapar started investing in the online gaming app 'Dream 11' without knowledge or consent of the petitioner and suffered heavy losses. When the petitioner came to know about the same, he applied for cancellation of licence granted to him qua the said Agency, which was cancelled vide order dated 23.02.2023. He further submits that thereafter, Sahil Thapar applied for licence for running the business in his own name and, thus, the petitioner is not responsible for the acts and omissions of his son. He submits that the occurrence in the present case pertains to the year 2022, whereas the FIR was registered on 06.10.2025, after an unexplained delay of more than three years. He submits that though the petitioner is facing prosecution in various FIRs, however, in some of the cases he is on bail. He further submits that a bare reading of the FIR shows that the allegations are levelled against Sahil Thapar and Simranjit Kaur @ Simran Nanda and the payments were made to them by the complainants and the petitioner did not receive any amount from the complainants. He, thus, submits that in these circumstances, he deserves to be granted anticipatory bail.

4. *Per contra*, learned counsel for the State has vehemently opposed the submissions made by counsel for the petitioner. She submits that the allegations against the petitioner are serious in nature as he along with co-accused cheated the complainants and other persons on the pretext of sending them abroad on visiting visa. However, neither they fulfilled their promise nor returned the amount taken by them. She further submits



that the petitioner is a habitual offender as there are 18 FIRs registered against him, out of which 07 FIRs have been filed for the offence of the similar nature. She further submits that the case is under investigation and custodial interrogation of the petitioner is required to unearth the mystery. She, thus, submits that no case for grant of anticipatory bail to the petitioner is made out.

5. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner in connivance with co-accused cheated the complainants for huge amount for sending them abroad on visitor visa. However, neither they were sent to abroad nor their amount was returned. The petitioner is stated to be involved in as many as 18 FIRs, out of which 07 FIRs are of the similar nature. The contention raised by counsel for the petitioner regarding having separate business from his son Sahil Thapar, is a subject matter of trial, which cannot be looked into at this stage. The amount duped by the petitioner and the co-accused is yet to be recovered and thus, custodial interrogation of the petitioner is required.

6. 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."*

7. 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 disintering 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 disintering offences would not conduct themselves as offenders."



8. 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.

9. 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.

10. 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.

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

22.12.2025

sharmila

Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No