



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

**CRM-M-72512-2025
Date of decision: 22.12.2025**

SUKHWINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Pankaj Bali, Advocate
 for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (ORAL)

1. Through the instant petition filed under Section 482 Bharatiya
Nagarik Suraksha Sanhita, 2023, prayer is for grant of anticipatory bail to the
petitioner in case bearing FIR No.42 dated 23.04.2025 registered under
Section 420 of Indian Penal Code, 1860 at Police Station Sadar Banga, District
SBS Nagar.

2. The present FIR was registered on the application moved by the
complainant-Amarjit Singh son of Rattan Singh and the inquiry of the same
has been conducted by DSP(D), District SBS Nagar. As per the contents of the
application, the complainant has been cheated of an amount of Rs.11,04,000/-
by the petitioner on the pretext of sending his son Chetanvir Singh abroad i.e.
Canada. Out of the said amount, Rs.9 lakhs were given to the petitioner being
a travel agent vide several bank transactions and Rs.2,04,000/- were handed



over to the accused/petitioner in cash in the presence of a friend of the complainant, who is also known as Amarjit Singh son of Mahinder Singh. It has come in the inquiry report that friend of the complainant-Amarjit Singh son of Mahinder Singh is also a victim at the hands of petitioner as his son was also not sent abroad despite the assurances made by the petitioner. Crux of the matter is that son of the complainant was not sent abroad and neither amount paid was returned to the complainant by the petitioner, who is allegedly a travel agent. The petitioner has also allegedly issued a fake VISA to the son of complainant. On the basis of said complaint, FIR under Section 420 of IPC has been registered against the petitioner.

3. Learned counsel for the petitioner contended that petitioner has been falsely involved in the present case; earlier, the petitioner had advanced a loan of Rs.26 lakhs at interest rate of 1% per month in cash to Amarjeet Singh son of Mahinder Singh on account of good relations and in this regard a written agreement was also executed. The said amount was later on returned by Amarjeet Singh son of Mahinder Singh in three installments with interest i.e. Rs.11,04,000/- through Amarjit Singh s/o Ratan Singh (complainant in present case), Rs.11,40,000/- by Amarjit Singh s/o Mahinder Singh and Rs.9,74,000/- through Ajay Kumar, who is neighbour of Amarjit Singh s/o Mahinder Singh. The total amount received by the petitioner was Rs.32,18,000/- along with applicable interest as per the agreement, but the same was later on given the colour of cheating and three different FIRs were registered against the petitioner. The petitioner is ready to join investigation and co-operate with the investigating agency. As such, learned counsel prayed for relief of anticipatory bail to the petitioner.



4. Learned State counsel appeared on advance notice and submitted that the allegations against the petitioners are serious in nature as he cheated the complainant/respondent No.2 for an amount of Rs.11,04,000/- on the pretext of sending his son abroad; the story put forth by the petitioner is false and concocted one as it is not explained by the petitioner as to why the complainant would lodge a false FIR when the money was allegedly borrowed by his friend Amarjit s/o Mahinder Singh. Moreover, there is no explanation why Ajay Kumar would lodge false FIR against the petitioner. The petitioner is not having clean and clear antecedents and he is involved in 09 more cases and he is required for custodial interrogation and for recovery of money. As such, learned State counsel prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts and circumstances of the case and the fact that the petitioner is involved in commission of serious crime; the petitioner does not have clear and clean antecedents as he is involved in 09 more cases; the money duped by the petitioner is yet to be recovered and his custodial interrogation is required for the same, the petitioner is not entitled to the relief of anticipatory bail 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 the importance of custodial interrogation has been emphasized by holding that many useful informations and concealed materials may be elicited from a suspect in custody, rather than from a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.



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.

December 22, 2025
manisha

(SUBHAS MEHLA)
JUDGE

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