

2026:PHHC:065266



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.3693 of 2026

Pupinder Singh ... Petitioner

Versus

State of Haryana ... Respondent

1.	The date when the judgment is reserved	23.04.2026
2.	The date when the judgment is pronounced	29.04.2026
3.	The date when the judgment is uploaded on the website	29.04.2026
4.	Whether only operative part of the judgment is pronounced or whether the full judgment is pronounced	Full
5.	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. M.K. Dhot, Advocate,
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,
for the respondent-State.

None for the complainant.

MANISHA BATRA, J.

1. The present petition has been filed by the petitioner under
Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short



“BNSS”) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
175	09.06.2025	Beri, District Jhajjar	406 and 34 of IPC

2. As per the allegations, the present petitioner along with co-accused Tirath Singh and Ajmer Singh alias Sodhi had duped the complainant Priyanka and her family members of an amount of Rs.25 lakhs on the premise of sending the complainant to Canada. Neither she was sent abroad nor the money belonging to the family of the complainant was returned and on asking for the same, the petitioner had been extending threats to the complainant and her family. As such, she prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings have been initiated and are underway. Accused Ajmer Singh had joined investigation and suffered disclosure statement admitting his involvement in the crime and also that the present petitioner who is his brother and his relative Tirath Singh had taken Rs.10 lakhs in cash from the complainant. They had given cheques as security to Priyanka for sending her brother abroad. Apprehending his arrest, the petitioner moved an application for anticipatory bail which has been dismissed by the Court of learned Additional Session Judge, Jhajjar vide order dated 15.01.2026

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, there was a monetary transaction between father of the complainant and himself. The entire amount of money

2026:PHHC:065266



payable to her father had been returned along with interest. The petitioner had issued security cheque as a matter of financial assurance. On dishonour of the said cheque, separate proceedings under Section 138 of Negotiable Instruments Act had been initiated by the complainant. The co-accused Ajmer Singh has been extended benefit of pre arrest bail. The case of petitioner is at similar footing and as such, he too deserves to be extended the same benefit. He is ready to join investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned Assistant Advocate General, Haryana while relying upon the status report has argued that the allegations against the petitioner are serious in nature as in connivance with the co-accused, he had duped the complainant and her family members of an amount of Rs.25 lakhs by inducing her on the pretext of sending her abroad. The petitioner had signed an affidavit promising to return the money but never returned it. He had given a cheque which has been bounced. The allegations make out a prima facie case showing complicity of the petitioner in commission of the subject offences. Mere pendency of complaint under Section 138 of NI Act cannot be stated to be a ground for extending benefit of pre arrest bail to the petitioner in this case. For the purpose of conducting proper investigation, the custodial interrogation of the petitioner is must. There is no exceptional and extraordinary circumstance for grant of bail. It is, therefore, argued that the petition does not deserve to be allowed.

2026:PHHC:065266



6. This Court has considered the rival submissions.

7. The petitioner, in connivance with the co-accused, is alleged to have duped the complainant of huge amount of money on the pretext of sending her abroad and thereby cheating her. Pendency of a complaint under Section 138 of Negotiable Instruments Act itself cannot be stated to be a ground for granting benefit of anticipatory bail to the petitioner. The allegations make out a prima facie case for commission of subject offence as against the petitioner. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see 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 Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra

2026:PHHC:065266



ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the nature of the allegations, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

29.04.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No