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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Ranjit Singh

...Petitioner

V/s

State of Punjab

...Respondent

Date of decision: 05.03.2026

Date of Uploading: 05.03.2026

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Sukhwinder S. Aviraj, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed on behalf of the petitioner seeking grant of anticipatory/pre-arrest bail under Section 482 of BNSS, 2023 in FIR No.83 dated 24.06.2025 registered for offences punishable under Sections 318(4), 61(2) and 143 (2) of BNS Act, 2023 and Section 13 of the Punjab Travel Professional (Regulations) Act, 2014 at Police Station Kathu Nangal, Amritsar.

2. The gravamen of the allegations, as borne out from the FIR lodged by the complainant Inderpal Singh, is that the petitioner alongwith co-accused Pallavi and his father Joginder Lal induced the complainant to part with an amount of Rs.44,00,000/- on the pretext of sending his son namely Jeet Pal to America through illegal means. It has been further alleged that the petitioner had represented himself to be engaged in the business of sending persons abroad and entered into an agreement with the

complainant. Thereafter, the petitioner issued cheques as security and

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received huge amounts partly through bank transfer and partly in cash on different occasions. It has been further alleged that the son of the complainant was sent out of the country but thereafter his whereabouts became unknown and when the complainant demanded either the return of his son or refund of the amount, the accused persons allegedly extended threats and demanded further money. Furthermore, it has been alleged that the petitioner and his father visited the house of the complainant on number of occasions to collect cash and the complainant had video recording of such transactions. The complainant has further alleged that when he went to the house of the accused to ask for his son or his money back, the accused threatened the complainant that if he kept asking for money, they would get his son killed abroad. The complainant has further alleged that he had arranged Rs.44.00 lacs by selling the land and taking loans and the accused had cheated him, did not send his son to America but send his son to Guyana and are now threatening him. On these set of allegations, instant FIR has been registered and investigation ensued.

3. Learned counsel for the petitioner has iterated that the petitioner is innocent and has been falsely implicated into the FIR in question. Learned counsel has further iterated that the entire transaction, if any, has been between the complainant and co-accused Pallavi, who allegedly received the money and the petitioner has no direct dealing with the complainant. Learned counsel has further contended that the petitioner is neither a travel agent nor engaged in the business of sending the persons abroad. According to learned counsel, the petitioner is running a cloth shop alongwith his father at Mukerian and has no concern with any immigration



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work. Furthermore, no amount has ever been transferred into the bank account of the petitioner and there is no documentary proof showing that the petitioner has received any money from the complainant. It has been further submitted that there is no written agreement between the complainant and the petitioner regarding sending the son of the complainant abroad and the allegations are general and vague in nature. Learned counsel has further asserted that the dispute, if any, is purely civil in nature arising out of a money transaction and has been given a criminal colour. It has been further argued that the petitioner has clean antecedents and is willing to fully cooperate with the investigation. Moreover, there is no likelihood of the petitioner absconding from the process of justice or tampering with the prosecution evidence in case he is enlarged on pre-arrest bail. On strength of these submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel (on the strength of advance notice) has opposed the grant of anticipatory bail to the petitioner by arguing that the petitioner has been specifically named in the FIR and has played an active role in cheating the complainant. Learned State counsel has iterated that the petitioner alongwith co-accused induced the complainant to send his son abroad and received large amounts of money on different occasions. According to learned State counsel, the petitioner has represented himself to be engaged in the business of sending persons abroad. Learned State counsel has emphasized that the evidence collected so far suggests that the petitioner alongwith co-accused used to allure the innocent people on the pretext of sending them abroad. It has been further contended that the investigation is at an early stage and custodial interrogation of the petitioner is necessary to

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trace the money trail, recover the relevant documents and identify other persons involved in the illegal immigration racket. Furthermore, learned State counsel has submitted that in case the petitioner is granted the concession of pre-arrest bail, at this stage, it may impede the ongoing investigation. Accordingly, a prayer has been made for the dismissal of the instant petition.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. As per the FIR, the complainant alleged that the petitioner alongwith co-accused Pallavi and his father Joginder Lal, took a total amount of Rs.44.00 lacs from him on the promise of sending his son to America. The petitioner has represented himself as a person engaged in sending people abroad, executed an agreement and received money from the complainant on several occasions, some of which was paid in cash. It has been alleged that after taking the money, the petitioner did not send the son of the complainant to America but he was sent to Guyana and later demanded more money and threatened the complainant. The plea of the petitioner that he is innocent as he runs a cloth shop and no money has been transferred to his bank account, are matter(s) to be examined during the course of trial and cannot be adjudicated upon while considering the plea for grant of anticipatory bail. At this stage, the investigation is still underway and the custodial interrogation of the petitioner may be essential to trace the financial flow, recover relevant documents and ascertain the involvement of other individuals as also to



know the whereabouts of the son of the complainant. The seriousness of the allegations, the involvement of the petitioner in inducing the complainant as also the money trail weigh heavily against the grant of anticipatory bail to the petitioner.

7. It is trite law that anticipatory bail is an extraordinary remedy not to be granted as a matter of course, particularly in cases involving heinous offences. While considering anticipatory bail, the Court must strike a balance between the right of the individual to liberty and the need for free, fair and effective investigation. Moreover, the plea that the dispute is civil in nature cannot be accepted at this stage, as the allegations *prima facie* disclose deception and dishonest intention at the inception which constitute the essential ingredients of Section 318(4) of BNS. The investigation is ongoing and to identify the other possible accused persons, this Court does not consider it appropriate to grant bail at this nascent stage. In the considered opinion of this Court, granting anticipatory bail to the petitioner at this stage may likely to hamper the on-going investigation. No cause *may* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

8. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no



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material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is 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 disinterring offences would not conduct themselves as offenders.”

9. Considering the seriousness of the allegations, the nature of the offence and the stage of investigation as also the necessity of custodial interrogation for recovery of the amount in question and for further investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand.

10. In view of the prevenient ratiocination, it is ordained thus:



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- (i) The instant petition is devoid of merits and is hereby dismissed.
- (ii) Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
- (iii) Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

March 05, 2026
Ajay

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