

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:049453



207

CRM-M-9638-2026 (O&M)

Date of decision:30.03.2026

Hardial Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ankit Kharbanda, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case arising out of FIR No.9, dated 09.01.2026, registered under Section 420 IPC and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, at Police Station Ranjit Avenue, District Amritsar.

2. The aforementioned FIR was registered on the basis of a written complaint filed by complainant – Amandeep Kaur, alleging therein that the petitioner along with his wife Manpreet Kaur, who was running immigration services under the name and style of 'Immigration Group' at Amritsar, had induced them to part with a sum of

Rs.11,98,500/- and Rs.41,500/- i.e. Rs.12 lakhs on the pretext of sending them to United Kingdom. They had also represented that they would manage issuance of a degree in their favour as brother of accused Manpreet Kaur was running a college. No visa was issued in their favour. On insistence of the complainant and her husband, an amount of Rs.2.40 lakhs was returned to them and when they asked for refund of the remaining amount, they were extended threats by the petitioner and co-accused.

3. After registration of the FIR, investigation proceedings were initiated and are underway. Apprehending his arrest, he moved an application for grant of anticipatory bail, which has been dismissed by the Court of learned Additional Sessions Judge, Amritsar vide order dated 04.02.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He had never induced the complainant. The dispute between the parties is purely of civil nature arising out of a monetary transaction. He has already returned an amount of Rs.2.40 lakhs to the complainant. He could not return the remaining amount of Rs.9.60 lakhs to the complainant as he himself has been deceived and cheated by Prabhjot Singh, his sister Manpreet Kaur and Deen Dayal Sharma, to whom he had paid the entire collected money for the purpose of securing a work visa for the complainant in United Kingdom. He has also lodged a complaint against them with the police on 13.11.2025, which is still pending. The case is based on documentary evidence. He is ready to join the investigation. His custodial interrogation

is not required. No recovery is to be effected from him. He has been extended benefit of bail in two similar cases registered against him. It is, therefore, argued that he deserves to be extended the benefit of pre-arrest bail.

5. Per contra, learned State counsel while relying upon the status report has vehemently argued that the petitioner has cheated the complainant by causing wrongful loss to the tune of Rs.12 lakhs by inducing her husband and herself on the premise of sending them to United Kingdom. He is a habitual offender being involved in two similar cases. For the purpose of conducting a thorough and proper investigation into the matter, his custodial interrogation is required. There is no extraordinary or exceptional circumstance to exercise powers for grant of pre-arrest bail is made out. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have induced the complainant to part with a huge amount of money on the pretext of sending her husband and herself abroad. He has not denied the factum of receipt of an amount of Rs.12 lakhs and has taken a stand that he had already returned an amount of Rs.2.40 lakhs to them. It is also the plea taken by the petitioner that he had given the entire money received from the complainant to Prabhjot Singh but he had usurped the same and a complaint has been filed by him. Annexure P-2 is copy of such complaint. However, there is nothing on record to suggest that any such complaint has actually been

filed before the police authorities and any such action has been taken in the matter. The allegations *prima facie* make out a case for commission of subject offences by the petitioner. For the purpose of conducting deeper and thorough probe, custodial interrogation of the petitioner is must. It is well settled proposition of law that powers for grant of anticipatory bail should be exercised in exceptional and extraordinary circumstances and not in routine manner. No such circumstance, however, has been made out in this case. If the petitioner is given the shield of anticipatory bail that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Accordingly, finding no compelling ground to allow the petition, 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.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

30.03.2026

harjeet

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No