



In the High Court for the States of Punjab and Haryana at
Chandigarh

101

CRM-M-13798-2026 (O&M)
Date of Decision:- 13.03.2026

Ashish ... Petitioner

Versus

State of U.T., Chandigarh ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Karan Duggal, Advocate and
Mr. Jatin Sodhi, Advocate for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed for grant of anticipatory bail to the petitioner in case FIR No.67 dated 06.06.2025, registered under Sections 318(4) and 61(2) of Bharatiya Nyaya Sanhita, 2023 (Sections 238/319(2) of BNS added later on) at Police Station Sector 17 Central, Chandigarh.
2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case and has no connection with the complainant. It is further submitted that the petitioner is merely receiving remuneration from the company involved in immigration business, and is not involved in any alleged fraudulent activities. Accordingly, learned counsel prayed for grant of anticipatory bail to the present petitioner.
3. Notice of motion.



4. Mr. Manish Bansal, P.P., U.T., Chandigarh along with Mr. Dixit Bhardwaj, Advocate, accepted notice on behalf of respondent-U.T., Chandigarh, and refuted the submissions made by learned counsel for petitioner by submitting that the petitioner was actively involved in the commission of the alleged offence. It is further submitted that the premises from which the firm 'Wish Immigration Consultants' operates had been taken on rent through a rent deed bearing the signatures of the present petitioner. Furthermore, the petitioner allegedly received a substantial amount from the account of the said firm as well as from the co-accused, totalling to approximately ₹54 lakhs. It is further submitted that the petitioner is involved in three other FIRs and that 13 complaints have been filed against him. The learned State counsel submitted that custodial interrogation of the petitioner is required as hefty amount of money was defrauded, which is yet to be recovered, and to know the intricate details and modus operandi of the accused in commission of the crime.

5. Heard.

6. Keeping in view the facts of the present case and the contentions raised by learned counsel for the parties, that the petitioner received a substantial amount from the account of the firm 'Wish Immigration' and is a beneficiary of the money allegedly obtained fraudulently from the complainant; numerous complaints are pending against the petitioner and three FIRs have also been registered against him, and further considering the assertion that the premises used by the firm were taken on rent through a rent deed bearing the petitioner's signatures, this Court is of the view that custodial interrogation is necessary to unearth the true facts of the case and to



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conduct a proper and effective investigation, the petitioner does not deserve the concession of anticipatory bail. Accordingly, this Court finds no merit in the present petition.

7. Hon’ble Apex Court in *State Represented by the C.B.I. v. Anil Sharma, 1997(7) SCC 187*, emphasized the importance of custodial interrogation by holding that useful information and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by anticipatory bail, wherein interrogation may be reduced to a mere ritual.

8. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

9. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

10. All pending applications, if any, shall also stand dispose off.

13.03.2026
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No