



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

110

CRM-M-15659-2026

Decided on: 02.04.2026

RAJINDER KUMAR TIWARI

.....Petitioner

Versus**STATE OF PUNJAB**

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Angrej Singh, Advocate &
Mr. Madan Sandhu, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

SUBHAS MEHLA, J. (Oral)

1. The present petition has been filed under Section 482 of BNSS, 2023 seeking grant of anticipatory bail in case bearing FIR No.24 dated 25.01.2026, under Sections 406, 420 of IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014 registered at Police Station Sadar Kapurthala, District Kapurthala (Annexure P-1).

2. The allegations against the present petitioner are that he had cheated the complainant to the tune of Rs.3.05 lakh on the pretext of sending his son abroad but later on he neither sent him abroad nor returned the money.



3. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case as it is a civil matter and a loan has been advanced by the complainant amounting to Rs.2 lakh and in lieu thereof, the complainant had taken security cheques from the petitioner; however, the said loan has been repaid in cash to the complainant; a civil suit for permanent injunction restraining the complainant from harassing the petitioner and also directing the complainant to return the security cheque(s) obtained by the complainant, to the petitioner has also been filed; the petitioner is ready to join the investigation and hence, prayed for grant of concession of anticipatory bail.

4. Notice of motion.

5. In pursuance of advance notice, Mr. Anup Singh, AAG, Punjab, has put in appearance and accepts notice on behalf of respondent-State and opposes the grant of concession of anticipatory bail to the petitioner while submitting that the present petitioner had taken an amount of Rs.2.25 lakh through bank transaction and Rs.80,000/- in cash from the complainant, by assuring him to send his son abroad. It is further contended that the present petitioner is involved in two more FIRs of similar nature and has duped a number of people. In the present case, an inquiry was conducted and the petitioner was given an opportunity to explain his position but he did not come forward to cooperate with the investigating agency. It is further contended that the petitioner is required



for custodial interrogation to collect evidence for the success of prosecution. Hence, prayed for dismissal of the present petition seeking anticipatory bail.

6. Heard.

7. Keeping in view the facts & circumstances of the present case and the rival contentions of learned counsel for the parties, the allegations against the present petitioner are that he has duped the complainant to the tune of Rs. 3.05 lakh, on his assurance to send the complainant's son abroad; the allegation against the present petitioner is that he does not possess any valid license to engage in such activities, of collecting money from individuals on the pretext of facilitating their travel abroad; he has neither fulfilled his promise of sending the son of the complainant abroad nor he returned the money; he is not having clear antecedents as he is involved in two more FIRs of similar nature, the allegations against the present petitioner are serious in nature; custodial interrogation of the petitioner is required for proper investigation, as well as for recovery of the amount. In ***State Represented by the C.B.I. v. Anil Sharma, 1997(7) SCC 187***, the Hon'ble Supreme Court emphasized the importance of custodial interrogation by holding that many useful information and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.



8. Keeping in view the gravity of offence and the role assigned to the present petitioner, the petitioner is not entitled for discretionary relief as prayed for and the present petition is hereby **dismissed**.

9. Nothing observed herein shall be construed as an expression of opinion by this Court lest it may prejudice the trial.

(SUBHAS MEHLA)
JUDGE

02.04.2026
Sonia Puri

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO