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

208

CRM-M-16473-2026 (O&M)
Date of decision: 17.04.2026

Pritpal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sanjeev K. Virk, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Mohit Kakkar, Advocate
for respondent No. 2/complainant.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*), is for grant of anticipatory bail to the petitioner in FIR No. 15 dated 04.03.2026, registered under Sections 420 and 406 of IPC at Police Station Talwandi Choudhrian, District Kapurthala.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by complainant Gurpreet Singh alleging that the petitioner had induced him to part with a sum of Rs. 25 Lakhs on the pretext of getting the same invested for running an IELTS Centre and immigration business and for getting a property purchased for him. The complainant had given two cheques for a sum of Rs.5 Lakhs each to the petitioner on

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01.03.2022. The petitioner had executed an agreement in favour of the complainant and had also given two security cheques to him. Subsequently, amount of Rs. 10 Lakhs and Rs. 5 Lakhs was taken by way of cheque/cash by the petitioner. However, he neither returned the said amount of money nor purchased any property in the name of the complainant, thereby causing wrongful loss of money to him.

3. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail, which has been dismissed by the Court of learned Additional Sessions Judge, Kapurthala, vide order dated 16.03.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He never received any money from the complainant. In fact, in the year 2021, the complainant himself had invested money in Guru Ram Dass Mart Trading Company, which had gone in to losses. The money given by the complainant had been credited into the account of one Satnam and not the petitioner. He is not the beneficiary of any amount. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. No useful purpose would be served by detaining him into custody. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be granted concession of anticipatory bail.

5. Status report has been filed by the respondent-State. Learned State counsel, assisted by learned counsel for respondent No. 2/complainant, has argued that there are serious and specific allegations against the petitioner,

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who induced the complainant to pay different amounts of money totaling Rs.25 Lakhs on the pretext of setting up an IELTS Centre and purchasing some property in the name of the complainant. However, he failed to return the same, despite issuance of security cheques and executing an agreement. His custodial interrogation is must for conducting proper investigation in the matter as well as for effecting recovery of the amount of money taken from the complainant. No exceptional or extraordinary circumstance has been made out in favour of the petitioner for grant of anticipatory bail. It is, thus, argued that the petition is liable to be dismissed.

6. This Court has heard the rival submissions.

7. The petitioner is alleged to have induced the complainant to part with a sum of Rs.25 Lakhs on the pretext of investing money for setting up an IELTS Centre and for arranging some property in his name. As per the status report, cheques for Rs.20 Lakhs had been given to the petitioner and he had also issued security cheques. The allegations levelled against the petitioner prima facie make out a case for commission of subject offences. The custodial interrogation of the petitioner is required for conducting thorough and proper investigation in the matter as well as for effecting recovery of the amount taken from the complainant. In case his custodial interrogation is denied to the investigating agency, the same will leave many glaring loopholes and gaps adversely affecting the investigation. The powers under Section 482 of BNSS are extraordinary 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 fleeing from justice and other factors to

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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 inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. 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 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. 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 made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

17.04.2026
Waseem R. Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No