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

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CRM-M-17517-2026 (O&M)
Date of decision: 09.04.2026

Jasvir Singh **...Petitioner**

Versus

State of Haryana **...Respondent**

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Gurjant Singh, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

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. 392, dated 08.07.2025, registered under Sections 316(2), 318(4), 338, 336(3) and 340(2) of BNS, 2023 and Section 24 of the Immigration Act at Police Station Assandh, Karnal.
2. The aforementioned FIR has been registered on the basis of a complaint submitted by complainant Gaurav alleging therein that his friend Amrish Rana was interested to settle in Canada. Through social media, they came across an advertisement issued by the present petitioner and his wife Gagandeep Kaur, who were running an immigration office. The complainant along with his friend Amrish Rana had reached at their office on 18.07.2024. The petitioner and his wife Gagandeep Kaur had assured to send Amrish Rana

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to Canada and demanded a sum of Rs.14,00,000/- in lieu thereof. On 09.08.2024, accused Gagandeep Kaur sent a video showing visa issued in favour of Amrish Rana and projected that the same had been issued by the Embassy concerned. She also took the passport and other documents of Amrish Rana and it was projected that his passport had been sent to Canadian Embassy. On 16.09.2024, Gagandeep Kaur sent another video showing that the visa sticker had been affixed on the passport of Amrish Rana. She asked the complainant and Amrish Rana to come to her office along with an amount of Rs.14,00,000/-, which was paid by Amrish Rana to the present petitioner and his wife in the presence of co-accused Aman and Saravjeet Kaur. Both of them had assured to get air tickets issued in favour of Amrish Rana. However, when Amrish Rana went to Delhi Airport, it was disclosed to him that the visa as well as the air tickets given to him by the present petitioner and his wife were false and fabricated documents. Both of them even vacated the office from the given address. On insistence of the complainant and victim Amrish Rana, only an amount of Rs.2,15,000/- was returned to the victim and then they bluntly refused to pay the remaining amount. By alleging that the petitioner and his wife along with other co-accused had cheated victim Amrish Rana, the complainant prayed for taking action in the matter.

3. After registration of the FIR, investigation proceedings were initiated. During the course of investigation, complainant Gaurav was also nominated as an accused in this case. Co-accused Aman was arrested on 19.12.2025. Co-accused Gagandeep Kaur was also arrested on 12.02.2026. She suffered disclosure statement admitting that an amount of Rs.4,05,000/- had come to her share out of the cheated amount. She is presently on bail.

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Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail, which has been dismissed by the Court of learned Sessions Judge, Karnal, vide order dated 16.03.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case only because of being husband of co-accused Gagandeep Kaur. He is not the beneficiary of any transaction. No money had been deposited in his account. Co-accused Gagandeep Kaur has been extended benefit of bail. A compromise has been arrived at between the complainant and co-accused Aman, who had been extended benefit of bail. The ingredients for commission of subject offences are not attracted qua him. In fact, the complainant was the mastermind of the crime. He has been nominated as an accused and had fled away to some foreign country. The petitioner has clean antecedents. He has permanent abode and is not at flight risk. He is ready to join the investigation. No recovery is to be effected from him. His custodial interrogation is not required. 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.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that there are serious allegations against the petitioner. He in connivance with co-accused Gagandeep Kaur, who is his wife, and other co-accused, had duped victim Amrish Rana of a huge amount of money. He had even changed the code of the lock of his residential house, due to which, no recovery could be got effected at the instance of co-accused Gagandeep Kaur, while she was in custody. The visa, alleged to have been got issued in favour of the victim, was found to be forged one. For eliciting truth about the manner

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in which the subject offences were committed and for conducting proper investigation in the matter, his custodial interrogation is must. It is, thus, argued that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner in connivance with co-accused is alleged to have duped the victim Amrish Rana of a sum of Rs.14,00,000/- on the pretext of sending him abroad and had handed over to him a forged and fabricated visa. The allegations levelled against him are quite serious, which make out a prima facie case for commission of alleged offences against him. His custodial interrogation is required for conducting thorough and proper investigation in the matter. No exceptional circumstance has been made out in his favour for grant of anticipatory bail. 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 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

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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.

7. 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.

09.04.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>