



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

207 CRM-M-17353-2026 (O&M).
Date of Decision: 04.05.2026.

Gurwinder SinghPetitioner.
State of PunjabRespondent.
VERSUS

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Abhishek K. Kathpal, Advocate for the petitioner.
Mr. Vinay Malhotra, Deputy Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Gurwinder Singh	19	13.12.2025	406 IPC (316(2) of BNS), 420 IPC (318(4) BNS) and section 24 of Immigration Act, 1983	NRI Gurdaspur	Gurdaspur

2. On 01.04.2026, following order was passed:-
“1. xxx
2. As per the allegations in the FIR registered at the instance

of the complainant namely Bhag Masih, it is alleged that the accused persons, namely (1) Agent Gurwinder Singh (petitioner herein) and (2) Agent Jaspal, cheated the complainant of an amount of Rs.12 lakhs on the pretext of sending his son namely Sajan Masih, to Spain.

It is further alleged that the total agreed amount for the said arrangement was Rs.12 lacs. However, neither the amount was returned nor the complainant's son was sent to Spain. Instead, son of the complainant was taken only to Vietnam and was not sent further.

3. *Counsel for the petitioner contends that petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Thus, counsel prays for grant of concession of anticipatory bail to the petitioner in the present case.*

4. *Notice of motion.*

5. *On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and seeks some time to file status report in the matter.*

6. *Adjourned to 04.05.2026.*

7. *Meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).*

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned counsel for the petitioner

contends that in compliance of the order dated 01.04.2026, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

4. Learned State counsel on instructions from ASI Gurtej Singh, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 01.04.2026, passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

However, petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

7. Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.

8. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

04.05.2026

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