



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

205

CRM-M-18078-2026 (O&M)

Date of decision : 01.05.2026

Balraj Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present: Mr. Lajwant Singh Virk, Advocate and
Ms. Gurleen Kaur, Advocate for the petitioner.

Mr. Rohit Bansal, Sr. DAG Punjab.

SURYA PARTAP SINGH, J. (Oral)

This petition for anticipatory bail is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No.28 dated 20.02.2021, for the commission of offence punishable under Section(s) 420, 406, 419, 467, 468, 370 and 120-B of the Indian Penal Code and Section 24 of Immigration Act and Section 12 of Passport Act, 1976, Police Station Bhawanigarh, District, Sangrur.

2. The FIR of this case came into being at the instance of Mr. Lakhwinder Singh, hereinafter being referred to as the 'complainant'. It has been alleged by the complainant that the Principal of the school, in connivance with co-accused, namely 'Chetan Sabharwal' and others, induced the complainant on the pretext of sending his son to NASA and



assured that the visa would be delivered for the said purpose. Pursuant thereto, the complainant paid a sum of Rs.2,15,000/- and handed over the passport and other documents to the accused.

3. It has been further alleged that subsequently, false DDR dated 12.06.2017 was lodged regarding the loss of passport and that, later on it came to the knowledge of the complainant that the petitioner had misused the passport of the complainant's son and sent some other boy to USA in the name of the complainant's son.

4. Vide order dated 17.04.2026, the petitioner was admitted to interim anticipatory bail, subject to the condition of furnishing bonds to the satisfaction of arresting officer. It was also directed that the petitioner shall join the investigation.

5. Heard.

6. It has been contended by learned counsel for the petitioner that vide order dated 17.04.2026, the petitioner was afforded the benefit of interim anticipatory bail, and that he has joined investigation. According to learned counsel for the petitioner, the present FIR is the fourth FIR in the same series, and that in the previous three FIRs, the petitioner is on bail. According to learned counsel for the petitioner, nothing has to be recovered from the possession of petitioner, and that the entire evidence to be collected by the Investigating Agency is documentary in nature and therefore, the order dated 17.04.2026 should be made absolute.

7. The learned State Counsel has controverted the abovementioned arguments. According to learned State Counsel there are very serious allegations against the petitioner with regard to impersonation



of student in the name of another one, and that the passport of one student has been used, for a visit to USA, by another student. It has also been contended by learned State Counsel that during the course of enquiry from the accused, it has transpired that one more accused namely 'Pankaj' is involved in the commission of offence, and that in order to extract the truth, and collect the entire evidence, custodial interrogation of the petitioner is necessary.

8. The record has been perused carefully.

9. With regard to fact-situation of this case and the above-mentioned arguments, following are the relevant factors which are supposed to be taken into consideration:-

- i) that the petitioner has already joined investigation;
- ii) that the petitioner cannot be forced to assist the prosecuting agency for the recovery of incriminating material, which may harm his interests or may amount to defeating his right of defence, as laid down by the Hon'ble Supreme Court of India in the cases of "Vinay Kumar Gupta v. State of Madhya Pradesh" [Criminal Appeal No. 939 of 2026, decided on 16.02.2026] and "Sanjay Sharma v. State of Haryana" [Criminal Appeal No. 767 of 2026, decided on 09.02.2026];
- iii) that no significant evidence is to be collected, with the assistance of petitioner, in this case, which may be helpful in linking the petitioner with the commission of crime;
- iv) that the offence is triable by the Court of Judicial Magistrate;
- v) that in the former case having similar facts the petitioner was in custody for 40 days and nothing significant was extracted by the Investigating Agency;



- vi) that the entire evidence to be collected by the Investigating Agency is documentary in nature;
- vii) that custodial interrogation of the petitioner is not likely to produce any fruitful result;
- viii) that the detention of petitioner in the judicial lock-up is not likely to serve any purpose;
- ix) that there is nothing on record to show that while on anticipatory bail, the petitioner is likely to tamper with the evidence or influence the witnesses; and
- x) that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in trial.

10. Keeping in view the aforesaid factors, and the fact that the petitioner has already joined the investigation, it is hereby ordered that the petitioner is entitled for anticipatory bail. Hence, the present petition is hereby **allowed** and the order dated 17.04.2026, whereby the petitioner was accorded the benefit of interim anticipatory bail, is hereby made absolute.

(SURYA PARTAP SINGH)
JUDGE

01.05.2026

Vinod

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No