



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

112

CRM-M-17363-2026 (O&M)
Date of decision : 01.04.2026

Manjit Kaur & Anr.

..... Petitioners

VERSUS

Satbeer Singh

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Gurvinder Pal Singh, Advocate and
Ms. Sukhmandeep Kaur, Advocate for the petitioners.

Mr. Piyush Sharma, Advocate for the respondent.

SURYA PARTAP SINGH, J. (oral)

This petition for pre-arrest bail is the second petition, filed by the petitioners under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of complaint No.COMI-55-2024, dated 28.02.2024 titled as 'Satbeer Singh V/s Charandeep Singh & Ors.', under Sections 420, 406, 120-B of Indian Penal Code and Section 13 of Punjab Prevention of Human Smuggling Act, 2012. The abovementioned complaint is pending in the Court of learned Judicial Magistrate First Class Ferozepur, hereinafter being referred to as 'trial Court' only.

2. Briefly stating the facts emerging from record are that a complaint has been filed by the respondent against the petitioners and other co-accused, alleging therein that he was desirous of settling in a foreign country, and that he came into contact with petitioners and their co-accused,



who assured him of arranging requisite Visa papers and other documents for emigration to in a foreign country. According to respondent, a deal was struck with the petitioners and other co-accused for a sum of Rs.27 lacs, and out of abovementioned amount, a sum of Rs.5,10,000/- was paid by the respondent for settling in Canada. As per respondent, despite the abovementioned payment, requisite papers were not arranged by the petitioners and their co-accused, and thus he was subjected to a well-planned act of cheating.

3. **Notice of motion.**

4. Mr. Piyush Sharma, Advocate has put in appearance on behalf of respondent and filed Memorandum of Appearance. Hence service of notice upon the respondent is hereby dispensed with.

5. Heard.

6. It has been contended by learned counsel for the petitioners that the former petition was dismissed as withdrawn due to some technical grounds, and that at the time of withdrawal of former petition, a liberty was accorded to the petitioners to file fresh petition with better particulars. It has also been contended by learned counsel for the petitioners that the petitioners have been summoned in a complaint case, and therefore, their custodial interrogation is not required by the State, and otherwise also, it is not going to produce any fruitful result.

7. To the contrary, learned counsel for the respondent has contended that one of the co-accused, who happens to be the husband of the petitioner No.1 and father of petitioner No.2, namely 'Charandeep Singh',



has already fled from the country and residing aboard. According to learned counsel for the respondent, if the benefit of pre-arrest bail is accorded to the petitioners, they are also likely to leave the country and thereafter they will not participate in the proceedings.

8. The record has been perused carefully.

9. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration for a decision:-

- i. that the offence is triable by the Court of Judicial Magistrate;
- ii. that the maximum punishment prescribed for the commission of abovementioned offence is imprisonment upto seven years;
- iii. that the petitioners have been summoned to face trial on the basis of a private complaint filed by the respondent, thus, their custodial interrogation is not required by the police;
- iv. that the detention of petitioner in judicial lock-up is not likely to serve any purpose;
- v. 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
- vi. that there is nothing on record to show that while on anticipatory bail, the petitioner will not participate/cooperate in the investigation.

10. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration, it leads to a



conclusion that the petitioners are entitled for the benefit of pre-arrest bail, and that the present petition deserves to be allowed.

11. In view of the above-mentioned discussion, the present petition is hereby ***allowed*** and the petitioners are accorded the benefit of pre-arrest bail. It is hereby directed that the petitioners will surrender before the learned trial Court within a period of two weeks from today, and on their surrender, they will admitted to bail on furnishing bail bonds to the satisfaction of the learned trial Court. However the abovementioned concession shall be subject to following conditions:-

- (i) that the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him to disclose such facts to the Court or to any other authority;
- (ii) that the petitioner shall at the time of execution of bond, furnish the address to the Court concerned and shall notify the change in address to the trial Court, till the final decision of the trial;
- (iii) that the petitioners shall also abide by the conditions as specified under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023; and
- (iv) that the petitioners shall not leave India without prior permission of the trial Court.

12. Pending miscellaneous application(s), if any, shall stand disposed of.

(SURYA PARTAP SINGH)
JUDGE

01.04.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No