



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

(112)

**CRM-M-18320-2026(O&M)
DATE OF DECISION: 06.04.2026**

Balbir Singh

.....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Ms. Sukhpreet Kaur Grewal Advocate, for the petitioner.
Mr. Karan Veer Singh, Sr.DAG, Haryana.

SUBHAS MEHLA, J (ORAL)

1. Present petition has been filed under Section 482 BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.390 dated 11.11.2025, under Sections 406, 420 and 506 IPC, registered at Police Station Nissing, District Karnal, Haryana.

2. The prosecution case, in brief, is that the present FIR has been registered on the complaint of Gurdass, a resident of Karnal, who alleged that the petitioner Balbir Singh induced him to part with Rs.5 lacs on the pretext of sending him abroad on a work permit to Italy by claiming that he had successfully sent several persons abroad; that the petitioner obtained an amount of Rs. 5 lakhs from the complainant along with his documents, but later made excuses and failed to send him abroad; that thereafter, the petitioner induced the complainant to opt for a work permit for Canada and when complainant expressed his inability to pay for the same, petitioner further persuaded him to execute an agreement to sell his land in favour of



the petitioner on the assurance of financial help and facilitation of travel abroad; that despite receiving additional amounts from the complainant and executing the said agreement to sell, the petitioner neither fulfilled his promise nor returned the money and instead threatened the complainant with dire consequences; and the FIR further alleges that the petitioner has similarly cheated other persons on the pretext of sending them abroad.

3. Learned counsel for the petitioner contends that the petitioner is falsely implicated in this case; that till now complainant has lodged a total of 11 complaints on the same set of facts and consequently 11 enquiries have been conducted; all enquiries were concluded with the remarks that the dispute pertained to a civil matter; that the true facts are that the petitioner entered into an agreement to sell with the complainant and complainant failed to execute the sale deed; in this regard, petitioner even filed a civil suit seeking specific performance of the agreement to sell; and hence, learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioner as petitioner is ready to join investigation.

4. Notice of motion.

5. Mr. Pankaj Bali, Advocate, appeared on behalf of the complainant and submitted that the present complainant was duped by the petitioner pf Rs.11 lacs and also misused the documents regarding his land which were signed and submitted by the complainant to the petitioner; now a suit for specific performance has been filed against petitioner only to shift the onus and evade criminal liability; that petitioner has neither been sent abroad as promised by complainant, nor his money was returned; complainant has also filed a civil suit regarding misuse of the documents.



Learned counsel further submitted that there is a whatsapp chat to support the case of the complainant wherein petitioner has admitted all allegations levelled against him in the FIR; petitioner is a habitual offender, and is indulged in illegally sending people abroad, and regarding this total six FIRs have been registered and prayed for dismissal of the petition.

6. In pursuance of advance notice, Mr. Karan Veer Singh, Sr.DAG, Haryana, appeared on behalf of respondent/State and submitted that the money which was paid as earnest money was taken back in cash and there is sufficient material regarding the complicity of the present petitioner to show that petitioner duped the complainant on the pretext of sending him abroad.

7. Heard.

8. From the facts of the present case and in view the contentions raised by the learned counsel for the parties, it can be deduced that the allegations against the present petitioner are that he promised the complainant to send him abroad and received Rs.11 lacs from him but the complaint that he was neither sent abroad nor his money was returned; on the pretext of providing financial aid, petitioner also induced complainant to enter into an agreement to sell land with the complainant; documents of property handed over by complainant to petitioner for processing visa were misused, and complainant has also filed a suit regarding the alleged misuse; that the petitioner is also having criminal antecedents and is involved in similar activities and six other FIRs have been registered against him; however, it is the contention of the learned counsel for the petitioner that he was acquitted in two FIRs and one matter has been compromised with the complainant. In view of totality of the aforesaid circumstances, custodial



interrogation of petitioner is imperative in the interest of justice and anticipatory bail cannot be granted to the petitioner. Anticipatory bail is an extra-ordinary relief, to be granted sparingly, only in exceptional circumstances.

9. The Hon'ble Supreme Court has emphasized the importance of custodial interrogation *in case titled as 'CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806' decided on 03.08.1997*, by holding that many useful informations and concealed materials may be elicited from a suspect in custody, than a suspect who is well-protected by an order of anticipatory bail, in which case, interrogation may be reduced to a mere ritual.

10. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.

11. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

06.04.2026
mamta

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No