



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

212 CRM-M-17515-2026 (O&M).
Date of Decision: 06.05.2026.

Amandeep Singh GangarPetitioner.

VERSUS

State of Punjab and anotherRespondents.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gurnoor Singh Sethi, Advocate for the petitioner.
Mr. Vinay Malhotra, Deputy Advocate General, Punjab.
Mr. Ashok Giri, Advocate for respondent No.2/complainant.

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 & age petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amandeep Singh Gangar, aged about 49 years	17	05.02.2026	406, 420 IPC (corresponding to sections 316(2) and 318(4) of BNS) and section 13 of the Punjab Travel Professionals (Regulation) Act, 2014	Bhogpur	Jalandhar (Rural)

2. After hearing learned counsel for the petitioner, on 01.04.2026, following was recorded by this Court:-

- “1. xxx
- 2. On oral request, complainant namely Keval Singh, son of Malkiat

Singh, resident of Village Sattowali, Post Office Rohjhari, District Jalandhar, is ordered to be impleaded as respondent No.2 in the present petition.

Let amended memo of parties be filed by counsel for the petitioner, in the Registry, within a period of two days from today.

3. Complainant-Keval Singh, got the FIR registered alleging that petitioner namely Amandeep Singh Gangar, had promised to send his son, Pritpal Singh, to USA, for which a total amount of Rs.38 lakhs was agreed upon.

It is further alleged that despite payment of Rs.28,22,000/-, neither the complainant’s son was sent abroad nor the amount was returned.

3. Learned counsel for the petitioner contends that allegations levelled in the present case are false and devoid of merit.It is submitted that the amount allegedly paid by the complainant was, in fact, advanced to the petitioner in the year 2022. During the said period, the complainant’s son had already travelled abroad on multiple occasions, which undermines the veracity of the allegations.

It is further argued that FIR has been lodged at a highly belated stage, i.e., in the year 2026, after an unexplained delay of more than three and a half years from the date of the alleged transaction.

4. Counsel submits that, in fact, petitioner had received only a sum of Rs. 18 lakhs from the complainant, out of which Rs. 14 lakhs has already been repaid. Thus, there exists a clear dispute regarding the actual amount, if any, due and payable between the parties. Such a dispute is purely civil in nature.

It is, therefore, contended that registration of the FIR is being misused as a coercive mechanism to exert pressure upon the petitioner for recovery of money, in the absence of any element of criminality, which amounts to an abuse of the process of law. It is thus, argued that petitioner is ready to join the investigation and fully cooperate, if protected from arrest by this Court. Therefore, prayer is made for grant of anticipatory bail to the petitioner in the present case.

5. Notice of motion.

6. On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab, puts in appearance on behalf of the respondent – State, and submits that the petitioner is involved in two other cases of a similar nature, which have also been registered at the same police station.

Sr. No.	FIR	Offences	Police Station
1.	110/2021	u/s 420 of IPC and section 13 of the Punjab Travel Professionals (Regulation) Act, 2014	Bhogpur
2.	140/2022	u/s 420, 465, 467, 468, 471, 120-B of IPC	Bhogpur

7. Learned State counsel has referred to the concluding part of the inquiry report, wherein it is recorded that complainant-Keval Singh, had entered into an agreement for a sum of Rs.38 lakhs with travel agent Amandeep Singh. As per the bank statement, an amount of Rs.18 lakhs was transferred through banking channels, while a further sum of Rs.10 lakhs was paid in cash. The agent has admitted to having received a total amount

of Rs.28 lakhs; however, he failed to facilitate the travel of the complainant's son from Europe to America, as a result of which the son had to return to India.

It has further been noticed in the inquiry report that out of the said amount of Rs.28 lakhs, a sum of Rs.14 lakhs has already been refunded, while the remaining Rs.14 lakhs is yet to be returned by the petitioner.

8. *Upon consideration, this Court finds that it prima facie appears that petitioner has retained the remaining amount of Rs.14 lakhs paid by the complainant.*

9. *List again on 06.05.2026.*

10. *Let a status report be filed by learned State counsel on or before the next date of hearing. Counsel for the petitioner is also directed to appear on the next date of hearing, with a concrete proposal for repayment of the outstanding amount to the complainant, so as to explore the possibility of resolving the dispute amicably.*

11. *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.).*

12. *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. Mr. Ashok Giri, Advocate for respondent No.2/complainant has been handed over a demand draft of Rs.4,00,000/- favouring complainant-Kewal Singh, by Mr. Gurnoor Singh Sethi, Advocate for the petitioner.

4. Admitted position is that out of total amount of Rs.28 Lakhs paid by respondent No.2, an amount of Rs.18 Lakhs has been received by him from the petitioner (Rs.11 Lakhs in cash, Rs.3 Lakhs through bank transaction and Rs.4 Lakhs today through demand draft).

5. Continuing the submissions, learned counsel for the petitioner contends that in compliance with the direction issued by this Court, petitioner has joined the investigation and more than 50% of the alleged amount has already been repaid, therefore, he submits that order dated 01.04.2026 be

made absolute and the petition be allowed.

6. On the other hand, learned State counsel also concedes to the submissions that petitioner has already joined investigation. However, learned counsel for respondent No.2/complainant insists for referring the matter to the Mediation and Conciliation Centre of this Court, which is not acceptable to the petitioner's counsel by submitting that the amount which was deposited in the account of the petitioner was Rs.18 Lakhs and same has already been returned to the complainant. Rest of the amount, if proved to be balance payable by the petitioner, would remain subject matter of the trial.

7. Considering the submissions as addressed by respective counsel and going through the record, this Court does not find any substantial reason for subjecting the petitioner to custodial interrogation, for the mere reason that proceedings in the present anticipatory bail petition cannot be given shape of recovery suit, therefore, 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.

8. Accordingly, petition stands disposed of.

Pending application(s), if any, also stands disposed of accordingly.

(SANJAY VASHISTH)
JUDGE

06.05.2026

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