

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:083724



274

CRM-M-19013-2026 (O&M)

Date of decision:26.05.2026

Manjit Singh

... Petitioner

Vs.

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. S.P. Soi, Advocate for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

Mr. Aman Pratap Singh, Advocate for respondent No.2.

...

Manisha Batra, J. (Oral).

1. The instant one is the second petition as filed by the petitioner seeking benefit of anticipatory bail in case arising out of FIR No.202, dated 30.08.2025, registered under Sections 406, 420, 465, 468, 471 120-B IPC and Section 66(D) of the Information Technology Act, 2000, registered at Police Station Division '8', District Police Commissionerate Jalandhar.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by complainant – Rajvir Kaur, alleging therein that the present petitioner, who is related to her and his wife Sonia, had allured her that they would send her to U.K. along with their son

Sukhpreet Singh, who was going there on study visa and for this purpose, they demanded a sum of Rs.24 lakhs, out of which an amount of Rs.12 lakhs was to be given before she reached U.K. As per the allurement made by the petitioner, the complainant solemnized contract marriage with son of the petitioner on 17.10.2022. An amount of Rs.10 lakhs was transferred by her in the bank accounts of Manjit Singh and Sukhpreet Singh. As visa could not be issued in their favour, hence, an agreement was executed between the complainant and Manjit Singh on 18.01.2023 whereby the petitioner agreed that if visa to be applied again would not be issued in her favour, then the entire amount of money taken by him would be given back by the petitioner along with penalty of Rs.1 lakh. Subsequently, the petitioner and co-accused got another amount of Rs.2 lakhs transferred from the complainant on the pretext of depositing biometric fee and visa fee. The application filed by Sukhpreet Singh for issuance of visa had already been rejected but till September, 2023, the petitioner and co-accused did not disclose this fact to the complainant. When the complainant started demanding her money back, they made false excuses and then executed an agreement on 23.04.2024 for returning a sum of Rs.10 lakhs. A cheque for an amount of Rs.9 lakhs was given to her, which too had been dishonoured. By alleging that she had been duped of money at the hands of the petitioner and co-accused and was cheated, the complainant prayed for taking action in the matter.

3. After registration of the FIR, investigation proceedings were initiated and are underway. Apprehending, his arrest, the petitioner moved an application for grant of anticipatory bail, which had been dismissed by

the Court of learned Additional Sessions Judge, Jalandhar, vide order dated 16.12.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. The ingredients for commission of subject offences are not at all attracted qua him. The dispute between the parties is essentially of civil nature as it pertains to the contractual dispute over a marriage agreement for immigration purposes. However, the same has been given criminal flavour. A contract marriage is a *sham* transaction. The agreements themselves are void *ab initio* being illegal contract marriage. The entire amount of money received from the complainant was spent towards legitimate visa expenses including visa fee, college fee, embassy fee etc. An amount of Rs.1.70 lakhs has already been returned by his son in partial settlement. No recovery can be enforced upon him based on void agreements. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel assisted by learned counsel for the complainant has vehemently argued that the allegations against the petitioner are serious in nature. For conducting proper investigation into the matter, his custodial interrogation is must. The petitioner has failed to show any exceptional or extraordinary ground for seeking benefit of anticipatory bail. His previous petition had been dismissed. There has been no change in the circumstances and hence, this petition is not maintainable. It is, therefore, argued that the petition is liable to be

dismissed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner is alleged to have duped the complainant of a sum of Rs.12 lakhs on the pretext of sending his son abroad by performing contract marriage with his son. The allegations make out a *prima facie* case for commission of subject offences by the petitioner. His dishonest intention since the very beginning is reflected from the allegations in the FIR. It is yet to be investigated as to whether it was a case of breach of contract alone and there was no dishonest intention on the part of the petitioner. For the purpose of conducting proper investigation into the matter, custodial interrogation of the petitioner is must. Moreso, even otherwise, the fact that custodial interrogation is not required, alone cannot be a good ground to grant anticipatory bail. The well settled proposition of law is that while considering an application for grant of anticipatory bail, the Court has to consider the nature of the offence, the role of the person, the likelihood of his influencing the course of investigation or tampering with evidence including intimidating witnesses and likelihood of fleeing justice. The Courts are required to be guided by consideration such as nature and gravity of the offences, the role attributed to the applicant and the facts of the case, while considering whether to grant anticipatory bail or refuse it and it is a matter of discretion to grant or not to grant bail. Applying the aforementioned principles to the present case and keeping in view the nature of the offence alleged to have been committed by the petitioner, the quantum of

sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, this Court is of the considered opinion that no sparing or extraordinary circumstance has been made out entitling the petitioner to seek concession of pre-arrest bail. As such, finding no compelling ground, the petition is dismissed.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

26.05.2026

harjeet

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned :

Yes/No

Whether reportable :

Yes/No