



159

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

CRM-M-19229-2026

Gurpreet Kaur

....Petitioner

versus

State of Punjab

....Respondent

Date of Decision: 08.04.2026**Date of Uploading: 08.04.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:** Mr. Imran Farooqi, Advocate for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

Mr. Gurbir Singh Sidhu, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner, in case bearing FIR No.86 dated 26.02.2026 registered under Sections 318(4), 338, 336(3), 340(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023, at Police Station City Barnala, District Barnala.

2. The gravamen of the instant FIR reflects that it has been registered on the basis of a complaint moved by the complainant-Kulwant Singh, who alleged that he was searching employment for his nephew and came into contact with co-accused of the petitioner namely Jagdish Singh @ Popi, who falsely represented himself to be a Clerk to a Judge of the High Court and assured securing a job as a Reader at the Punjab & Haryana High Court for his nephew. On such inducement, the complainant and his relatives transferred an amount of approximately ₹6,80,000/- into the bank

account of the said co-accused on different dates. It is further alleged that the accused persons prepared forged documents, including fake High Court letterheads, and took the complainant to Chandigarh on the pretext of completing formalities. Subsequently, upon suspicion, the complainant confronted the accused persons at Dhanaula, where it was alleged that the petitioner (herein), along with co-accused persons, admitted to having cheated the complainant as part of a conspiracy. Upon these set of allegations, the instant FIR came to be registered against the accused persons.

3. Learned counsel for the petitioner has iterated that a bare perusal of the FIR itself shows that allegations leveled against the petitioner are concocted, improbable and devoid of any merit. Learned counsel has further iterated that the petitioner has been falsely implicated into the FIR in question. Learned counsel for the petitioner submits that no specific role has been attributed to her in the alleged offences of cheating or forgery. He has further argued that no recovery is to be effected from the petitioner, as the entire alleged amount stands transferred to the account of co-accused Jagdish Singh. He has further iterated and that the petitioner is a lady aged 44 years with clean antecedents, is willing to join and cooperate with the investigation. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel (assisted by learned counsel for the complainant) has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature involving cheating, forgery and an organized *modus operandi*. The petitioner is specifically named in the FIR and is an active participant in the office in question and she, along with co-accused, induced the complainant.

Given the severity of the offence, there exists a substantial likelihood that the petitioner may abscond or tamper with the evidence, if she is enlarged on bail. On the strength of these submissions, dismissal of the petition in hand is entreated for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, the allegations against the petitioner are grave and specific pertain to an organized racket of cheating innocent persons on the pretext of securing jobs in the High Court by use of forged documents. The petitioner is specifically named in the FIR and is alleged to have been part of the group which collectively admitted to the act of cheating. At this stage, it cannot be said that the petitioner had no role in the commission of the offence. The offences alleged are serious in nature involving cheating, impersonation and forgery, affecting public confidence in institutions.

No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which

has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In *State v. Anil Sharma [State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039]*, the Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

8. In view of the seriousness of the allegations, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioner. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby **dismissed**.

9. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

08.04.2026

Naveen

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No