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

Sr. No.276

CRM-M-21569-2026
Date of Decision: 01.05.2026

GURJEET SINGH ALIAS KALA ...Petitioner

Versus

STATE OF PUNJAB ....Respondent

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present:- Mr. S.S. Somi, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab.

*****

MANDEEP PANNU, J. (Oral)

1. This is the first petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (akin to Section 438 Cr.P.C.) seeking grant of anticipatory bail to the petitioner in case FIR No. 270, dated 08.11.2025, registered under Sections 406 and 420 IPC (corresponding to Sections 316 and 318 of the BNS, 2023) at Police Station City Rajpura, District Patiala, Punjab.

2. Briefly, the case of the prosecution is that the petitioner, along with co-accused, allegedly induced the complainant on the pretext of sending him to the USA and, in pursuance thereof, obtained an amount of Rs. 25,00,000/- from him on different dates. It is alleged that despite receiving the said amount, the petitioner neither fulfilled the promise of sending the complainant abroad nor returned the money. It is further the case of the prosecution that a written compromise was executed on 22.10.2024 and a cheque of Rs. 25 lakhs was issued as security, which, upon

presentation, was dishonoured. On these allegations, the present FIR came to be registered against the petitioner for committing cheating.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case and the allegations levelled in the FIR are an abuse of the process of law. It is submitted that the petitioner is a law-abiding agriculturist and had only taken a friendly loan of Rs. 5 lakhs from Sushil Mittal, for which he had issued blank signed cheques as security, which have been misused by the complainant in collusion with others. It is further contended that the dispute, if any, is purely civil in nature arising out of monetary transactions and proceedings under Section 138 of the Negotiable Instruments Act are already pending. It is argued that the petitioner had never entered into any agreement to sell nor received any amount of Rs. 25 lakhs as alleged, and the present FIR has been lodged after an inordinate delay of several years with malafide intention. It is also submitted that the petitioner has already been convicted in the NI Act case and appeal against the same is pending, and thus the present proceedings are nothing but a pressure tactic. Accordingly, it is prayed that the petitioner be granted the concession of anticipatory bail.

4. On the other hand, learned State counsel has opposed the prayer for anticipatory bail and submitted that the petitioner is the main accused who, by falsely representing himself as capable of arranging a work visa for the USA, induced the complainant to part with an amount of Rs. 25 lakhs. It is contended that the petitioner received the said amount in installments, provided forged documents and neither sent the complainant abroad nor refunded the money. It is further submitted that even the cheque issued by

the petitioner towards repayment was dishonoured, clearly reflecting his dishonest intention. Learned State counsel has also argued that the custodial interrogation of the petitioner is necessary to unearth the complete *modus operandi*, to effect recovery of the cheated amount and to identify other victims. It is further contended that the petitioner is involved in four other cases of similar nature, which demonstrates his habitual conduct and propensity to commit such offences. It is also submitted that the petitioner has not been cooperating with the investigation and there is every likelihood that, in case he is granted anticipatory bail, he may tamper with evidence or influence witnesses.

5. I have heard learned counsel for the parties and have gone through the record. The allegations against the petitioner are serious in nature. As per the prosecution case, the petitioner, along with co-accused, cheated the complainant of an amount of Rs. 25 lakhs on the pretext of sending him abroad, but neither the complainant was sent abroad nor the amount was returned. Even as per the stand taken by the petitioner, he has admitted the transaction of money in the compromise, which *prima facie* lends support to the prosecution version. It is also a matter of record that the petitioner has been involved in four other cases of similar nature, which were quashed on the basis of compromise, indicating that the petitioner is habitually indulging in such acts of duping innocent persons on the pretext of sending them abroad.

6. Considering the gravity of the allegations, the *modus operandi* adopted by the petitioner, and the requirement of custodial interrogation, this Court is of the opinion that the petitioner does not deserve the concession of

anticipatory bail. The possibility of the petitioner influencing witnesses or tampering with evidence also cannot be ruled out at this stage.

7. Accordingly, the present petition is dismissed.

8. However, it is clarified that nothing observed hereinabove shall be construed as an expression on the merits of the case.

9. All pending applications, if any, also stand disposed of.

(MANDEEP PANNU)
JUDGE

01.05.2026
Anu

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No