



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-20801-2026 (O&M)

Navjot Singh Brar ...Petitioner

Versus

State of Punjab and another ...Respondents

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	28.04.2026
2	The date when the judgment is pronounced	30.04.2026
3	The date when the judgment is uploaded on the website	30.04.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. A. P. S. Deol, Senior Advocate with
Ms. Sagarika, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Navinder Jit Singh Dandiwal, Advocate
for respondent No. 2/complainant.

MANISHA BATRA, J.

1. Through the instant petition, filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, the petitioner seeks grant of anticipatory bail
in case arising out of FIR No. 0054 dated 28.02.2026, registered under
Sections 420, 406 and 120-B of IPC (which corresponds to Sections 318(4),
316(2) and 61(2) of BNS, 2023) at Police Station Baghapurana, District
Moga.

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2. The aforementioned FIR was registered on the basis of a written complaint submitted by complainant Gurjant Singh Dhaliwal alleging that he had been duped of a sum of Rs.1,67,08,750/- by the present petitioner, who was running an immigration business in the name of 'Dream Builders and Immigration' at Baghapurana, District Moga on the pretext of sending his family and himself permanently to USA. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending her arrest, the petitioner had moved an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Moga but the same had been dismissed, vide order dated 07.04.2026.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was in custody in connection with some other cases when he was implicated as an accused in this case. In fact, complainant Gurjant Singh Dhaliwal has been known to him for the last twenty years. There used to be transactions of money between them. In fact, the complainant and himself were running a study centre and used to send the students abroad by arranging foreign study visas. Only an amount of Rs.13 lakhs had been transferred from the bank account of the son of the complainant in the account of petitioner's firm. No other money had been given to him. The dispute between them is with regard to sharing of business profits and it has not arisen due to non-arranging family visas as claimed by the complainant. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. No useful purpose would be served by detaining him into custody. It is, thus,

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urged that the petition deserves to be allowed and the petitioner deserves to be given concession of anticipatory bail.

4. Status report has been filed by the respondent-State. Learned State counsel, assisted by learned counsel for the complainant, has argued that there are serious and specific allegations against the petitioner. The investigation is underway. Custodial interrogation of the petitioner is must for conducting proper and thorough investigation in the matter. The petitioner is a habitual offender, being involved in several other cases. No exceptional or extraordinary circumstance has been made out in favour of the petitioner for grant of anticipatory bail. It is, therefore, stressed that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is alleged to have duped the complainant of a huge amount of money on the pretext of sending his family and himself abroad. The petitioner is involved in two more cases of similar nature. The allegations prima facie make out a case for commission of subject offences against the petitioner. His custodial interrogation is required for conducting thorough and proper investigation in the matter. In case his custodial interrogation is denied to the investigating agency, the same will leave many glaring loopholes and gaps adversely affecting the investigation. The powers under Section 482 of BNSS are extraordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and

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gravity of the accusation, possibility of applicant fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section 482 of BNSS. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

30.04.2026
Waseem R. Ansari

(MANISHA BATRA)
JUDGE

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