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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23399-2025

HARJIT KAURPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

CRM-M-23520-2025

MANMEET SINGH @ MANBIR SINGHPETITIONER

VERSUS

STATE OF PUNJABRESPONDENT

DECIDED ON: 20.03.2026

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.

Present: Mr. Kuljinder S. Billing, Advocate,
for the petitioners (in both the cases).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Ms. Swati Verma, Advocate, and
Ms. Manisha Kumar, Advocate, for the complainant.

SANJAY VASHISTH, J (ORAL)

1. Present petitions have been filed by the petitioners, seeking grant of anticipatory bail, in case, FIR No.102, dated 11.09.2024, under Sections 420, 34 IPC and section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Batala, District Gurdaspur.
2. Grievance of the complainant has been discussed in paragraph No.5 of the impugned order dated 09.04.2025, passed in the



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case of petitioner – Harjit Kaur, and the same is reproduced here below,

for reference:-

“5. After hearing rival contentions of both the sides and going through the record, it comes out that the present FIR has been registered after preliminary inquiry by the police on the basis of the complaint moved by Gurwinder Singh son of Kulwant Singh against present accused/applicant and her other family members on the allegations that he had come in contact with travel agent Amarjit Singh who assured him and his friend Pawandeep Singh to send them to Italy and demanded sum of Rs.13 lac each from them. They accordingly paid Rs.2 lac each in cash alongwith their passports to Amarjit Singh while the present accused/applicant received Rs.13 lac in cash from them. Thereafter firstly they were sent to Dubai and thereafter to Morroco alongwith son of said Amarjit Singh but their papers were found to be forged and thus they were deported back to Dubai from Morroco. The complainant has further alleged that during the aforesaid transactions, he had also paid Rs.4,50,000/- through bank transfer to accused Amarjit Singh. The record further shows that during the said inquiry, it was found that while accused/applicant being wife of said Amarjit Singh received Rs.13 lac from the complainant party, Amarjit Singh received amount of Rs.4,50,000/- in his bank account and they both assured the complainant and his friend that they would be sent to Italy. Even they were also sent firstly to Dubai and then to Morroco alongwith their son but they were deported back. Therefore this court finds that allegations against the accused/applicant are serious in nature that she alongwith her husband is indulging in illicit trafficking of humans to other countries by illegal means. Today it was also pointed out that accused/applicant is already involved in two other cases of similar nature. Therefore custodial interrogation of accused/applicant may be required to carry out the effective investigation.”

3. Petitioner – Harjit Kaur is wife of Amarjit Singh and petitioner – Manmeet Singh @ Manbir Singh, is son of Amarjit Singh.

4. Vide order dated 09.07.2025, both the petitioners had expressed their intention to refund 50% of the total disputed amount, i.e.,

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Rs. 9 lakhs out of Rs.18 lakhs. For reference, the said order dated

09.07.2025 is reproduced below:-

“i) Learned counsel for the petitioner submits that petitioner–Harjit Kaur, along with her husband Amarjeet Singh and her son Manmeet Singh (petitioner in CRM-M-23520-2025), is willing to deposit 50% of the total disputed amount, i.e., Rs.9,00,000/- out of Rs.18,00,000/-, within a period of one and a half months from today.

ii) Learned counsel for the complainant does not dispute the proposal put forth by the petitioners.

iii) In view of the above, list the matter on 21.08.2025.

iv) In the meantime, the petitioners shall not be arrested, subject to the condition that they deposit a sum of Rs.2,00,000/- within one week from today, and the entire promised amount of Rs.9,00,000/- before the next date of hearing.

v) A photocopy of this order be placed on the file of another connected case.”

5. Today, learned counsel for the complainant submits that arrest of the petitioners was stayed by this Court vide order dated 09.07.2025, subject to the condition that they deposit a sum of Rs.2 lakhs within one week from the date of the order and the entire promised amount of Rs.9 lakhs before the next date of hearing.

6. It is further submitted that the said conditional order was challenged by petitioner Harjit Kaur before the Apex Court; however, the prayer was not allowed and the petition was dismissed, vide order dated 07.08.2025.

Photocopy of the said order dated 07.08.2025 passed by Hon’ble Apex Court in the case of ‘Harjit Kaur vs. State of Punjab and others’ has been produced in the Court, and same is taken on record.

7. This Court has heard the submissions of learned counsel for the parties and perused the record available on file.



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8. Admittedly, even the first instalment of Rs.2 lakhs, which was required to be deposited within one week from 09.07.2025, has not been deposited by the petitioners, till date.

9. In view of the above, this Court is of the view that petitioners are not entitled to any discretionary relief. **Accordingly, both present petitions stand dismissed.**

10. Before parting with the order, it is observed in strict terms that conduct of the Investigating Officer requires scrutiny. Despite registration of the FIR on 11.09.2024, the Investigating Officer has not proceeded effectively against the main accused, Amarjit Singh, causing undue harassment to the complainant.

11. Let the matter be inquired into by the Senior Superintendent of Police, Gurdaspur, and, if warranted, appropriate action be taken against the said Investigating Officer.

12. Copy of this order be forwarded to Senior Superintendent of Police, Gurdaspur, for necessary information and compliance.

13. A photocopy of this order be placed on the file of other connected case.

(SANJAY VASHISTH)
JUDGE

20.03.2026
Lavisha

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