



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

**CRM-M-23445-2025
Date of decision: 12.05.2026**

SHAMSHER SINGH AND ANOTHER

...PETITIONERS

V/S

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Vikram Singh, Advocate for the petitioners.

Mr. Surender Singh Pannu, Addl. A.G., Haryana.

Mr. Deepak Jindal, Advocate for the complainant.

SUBHAS MEHLA, J. (ORAL)

1. This petition has been filed by the petitioners under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short - 'the BNSS'), seeking anticipatory bail in case bearing FIR No.295 dated 22.04.2025, under Sections 406 and 420 of the Indian Penal Code, 1860, (for short - 'the IPC') and Section 24 of the Immigration Act, registered at Police Station Sadar, District Karnal.

2. Learned counsel for the petitioners contended that there is no allegation levelled against the petitioners; the main allegation is levelled against the co-accused, namely, Neelam (wife of petitioner No.1) as the money was handed over to her, who is independent in her working; there is no evidence regarding the payment of any amount of Rs.21 lakhs except



Rs.20,000/-; the petitioners have joined the investigation and their custodial interrogation is no more required in this case.

3. Learned State counsel submitted that the petitioners along with co-accused cheated the complainant on the pretext of sending his son to Australia, but instead he was sent to Vietnam and Morocco and the petitioners did not return the amount. However, learned State counsel has not refuted the assertions made by learned counsel for the petitioners that the petitioners have joined the investigation.

4. On Court query posed to learned State counsel regarding the source of payment made by complainant to the petitioners, he submitted that the payment was made in cash and the amount of approximately Rs.1.75 lakhs was paid through bank transaction on different dates which was transferred in the account of a relatives of the petitioners.

5. Learned counsel for the complainant opposed the prayer made by the petitioners and submitted that a huge amount of Rs.21 lakhs was paid to the wife of petitioner No.1 and at the time of payment, both the petitioners were present. Hence, all the accused are hands in gloves.

6. Heard.

7. Taking into consideration the totality of the circumstances, the allegations levelled against the petitioners as well as the material collected during investigation by the investigating agency, it transpires that the amount was paid to co-accused Neelam and some amount was paid to one Ajay i.e. relative of the petitioners. As such, this Court finds merit in the present petition.



8. In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim order dated 01.05.2025 passed by this Court is hereby made absolute, subject to the conditions as provided under Section 482(2) of the BNSS.

May 12, 2026
Manisha

(SUBHAS MEHLA)
JUDGE

- | | | |
|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |