

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:081549



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CRM-M-24809-2026 (O&M)
Date of decision:22.05.2026

Gurpal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant one is the second petition as filed by the petitioner seeking anticipatory bail in case arising out of FIR No.154, dated 03.08.2018 registered under Sections 409, 420 and 120-B IPC, at Police Station Nathana, District Bathinda. His previous petition bearing CRM-M-50577-2021 had been dismissed by this Court vide order dated 06.09.2023 for want of prosecution.

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of written complaint submitted by complainant – Gurmeet Singh, alleging therein that he had come into contact with accused Kuljeet Singh @ Jeet, who represented to him that he was a permanent resident of USA and allured him

by saying that he could get work permit for 02 years for USA issued in his favour. He told the complainant that firstly he would be sent to Jakarta and then to Canada from where, he would manage to arrange to send the complainant to USA. On being so allured, the complainant got issued a labour Visa for one month for Jakarta. He reached there on 07.03.2017. On instructions of Kuljeet Singh, one Bikram Singh had come to receive him at Jakarta Airport, took the passport and other important documents from the complainant. He also took his mobile phone and cash amount of Rs.2 lakhs kept by the complainant for the purpose of conversion. The complainant was assured to be sent to Canada soon. However, thereafter, family members of accused Kuljeet Singh, namely, Ranvir Singh and Gurjit Singh extracted a sum of Rs.20 lakhs from the complainant on the pretext of sending him to Canada. The short term Visa of the complainant at Jakarta had expired and then it was after great difficulty that he could take back his passport from the above named Bikram Singh and came back to India only after arranging tickets at his own. He asked accused Kuljeet Singh to give back his money but in vain. He also came to know that the actual name of accused Bikram Singh, who had taken his passport, documents and cash amount of Rs.2 lakhs was Gurpal Singh i.e. the present petitioner. As such, he prayed for taking action against the culprits.

3. After registration of the FIR, investigation proceedings have been initiated and are underway. The accused Kuljeet Singh was arrested on 18.03.2023. One other person, namely, Gurjit Singh, who was nominated as an additional accused had also been arrested. Both Gurjit Singh and Kuljit Singh faced trial and have since been convicted. The petitioner could not be

arrested till the presentation of challan as against the co-accused.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was not named in the FIR neither any allegation had been levelled against him. He was subsequently nominated on the ground that he was also known by the name of Bikram Singh and had taken money and passport etc. of the complainant in Jakarta. It is submitted that he had no role to play in the entire occurrence. He is not known with the name of Bikram Singh and his only name is Gurpal Singh. After dismissal of his anticipatory bail filed before the Sessions Court, he was informed by his counsel that only Kuljeet Singh was arraigned as accused and he was exonerated and that is why he did not pursue his application for anticipatory bail. He is ready to join the proceedings now. His custodial interrogation is not required. No recovery is to be effected from him. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel, while relying upon the status report has argued that the allegations against the petitioner are serious in nature. He had represented himself before the complainant as Bikram Singh and that is why no action could be taken against him earlier. During the course of inquiry, it had come on record that he was also known by the name of Bikram Singh as well as Gurpal Singh. It was only on behest of the petitioner and co-accused Kuljeet Singh that the complainant had given an amount of about Rs.20 lakhs to them. Not only this, he along with co-accused had also duped another victim Gurtej Singh of a sum of Rs.19 lakhs on the premise of sending his son Rashpinder Singh to Canada. The petitioner had taken the ATM card, money and other important documents

belonging to victim Rashpinder Singh also at Jakarta and had subsequently left him at Vietnam from where he could come after arranging tickets and money at his own. It is further submitted that the victims Gurmeet Singh and Gurtej Singh along with his son Rashpinder Singh have been caused wrongful loss to the tune of Rs.42 lakhs by the petitioner and co-accused. It is argued that for conducting thorough and proper investigation into the matter, custodial interrogation of the petitioner, who has actively participated in the occurrence, is required. Some other accused are also absconding and to elicit information about them also, the petitioner's custodial interrogation is must. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner in connivance with the co-accused is alleged to have duped the complainant – Gurjeet Singh and another victim Rashpinder Singh on the premise of settling them to USA and on that pretext, victims had been taken to Jakarta, where the petitioner by introducing himself as Bikram Singh, had taken the money and passport and other important documents from the victims with an intent to cheat them on the pretext of taking them to USA. The allegations make out a *prima facie* case for commission of subject offences as against the petitioner. He has apparently, actively participated in the conspiracy hatched with the co-accused, who have since been convicted. For the purpose of conducting deeper and thorough investigation into the matter, custodial interrogation of the petitioner is must. It is revealed from the record that it was he, who had been

avoiding his apprehension since long. It is well settled proposition of law that powers for grant of anticipatory bail should be exercised in exceptional and extraordinary circumstances and not in routine manner. No such circumstance, however, has been made out in this case. If the petitioner is given the shield of anticipatory bail that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. The Court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. Accordingly, finding no compelling ground to allow the petition, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

22.05.2026

harjeet

**(MANISHA BATRA)
JUDGE**

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