2026:PHHC:072407

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No.24923 of 2026
Date of decision: 08.05.2026

Narinder Kaur

…Petitioner

Versus

State of Punjab

…Respondent

<u>CORAM</u>: HON'BLE MS. JUSTICE MANDEEP PANNU

Present :- Mr. J.S. Dhaliwal, Advocate
for the petitioner.

Mr. Hardeep Hans, AAG, Punjab
for the respondent-State.

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<u>MANDEEP PANNU, J. (Oral)</u>

1. First petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Section 438 Cr.P.C. of 1973) for grant of anticipatory bail to the petitioner in FIR No.46 dated 17.03.2026 registered under Sections 318(4), 61(2) of the Bharatiya Nyaya Sanhita, 2023 (corresponding Sections 420 and 120-B IPC, 1860) at Police Station Kotbhai, District Sri Muktsar Sahib, Punjab.

2. Briefly, the allegations of the prosecution are that the present FIR has been registered on the basis of complaint moved by complainant Raj Kumar alleging therein that the petitioner alongwith co-accused assured the complainant that they would send his son and daughter-in-law abroad and, on that pretext, received an amount of Rs.15,79,750/- from him. However,

neither the son and daughter-in-law of the complainant were sent abroad nor the entire amount was returned to the complainant. It is alleged that an amount of Rs.6,77,000/- was returned, whereas the remaining amount of Rs.9,02,750/- has not been paid back. On the basis of said allegations, the present FIR was registered against the petitioner and co-accused.

3. Learned counsel for the petitioner has argued that the petitioner is innocent and has been falsely implicated in the present case. It is contended that co-accused Baltej Singh, who is son of the petitioner, has been residing in the United Kingdom since the year 2023 and the complainant party as well as the accused persons were well known to each other and belonged to the same village. It is further argued that the complainant wanted to send his son Gurmeet Das and daughter-in-law Rachhpal Rani to the United Kingdom and had contacted one travel agent namely Gurkirtan Singh, who introduced certain UK based lawyers for securing visas. Learned counsel for the petitioner has further argued that since the complainant was not personally acquainted with the said UK based lawyers, he requested the petitioner and her son Baltej Singh to facilitate the transactions and to help in transfer of the amount. It is submitted that the complainant himself requested that certain amounts be transferred in the Indian bank account of the petitioner so that the same could further be remitted to the UK based lawyers through co-accused Baltej Singh. It is contended that substantial amounts were in fact transferred by Baltej Singh to the accounts of the UK based lawyers towards visa processing charges and the petitioner had not retained any amount for herself. It is further

argued that visa applications of the complainant's son and daughter-in-law were actually filed by the UK based lawyers and, therefore, the allegation levelled in the FIR that no visa applications were ever moved is factually incorrect. Learned counsel submits that the complainant has concealed the material fact regarding filing of visa applications and has lodged the present FIR only after the visas were rejected and refund was demanded from the travel agent as well as from the petitioner and her son. Learned counsel for the petitioner has also argued that the entire case is based upon documentary evidence and bank transactions and nothing remains to be recovered from the petitioner. It is submitted that custodial interrogation of the petitioner is not required and the petitioner is ready and willing to join the investigation and cooperate with the investigating agency. It is further argued that the petitioner is a lady having no criminal antecedents and has been unnecessarily dragged into the present litigation merely because certain bank transactions had taken place in her account at the asking of the complainant himself. It is also contended that the complainant started pressurizing and blackmailing the petitioner after rejection of the visas and even coerced the petitioner into returning certain amounts. Learned counsel submits that the petitioner has been falsely implicated by misusing genuine bank transactions and that no other criminal case is pending against the petitioner.

4. Learned State counsel, on the other hand, has opposed the prayer for grant of anticipatory bail and argued that serious allegations have been levelled against the petitioner. It is contended that the petitioner, in connivance with her son and co-accused Baltej Singh, induced the

complainant to part with huge amounts of money on the false assurance of sending his son Gurmeet Dass and daughter-in-law Rachhpal Rani to England and for arranging their visa process. It is argued that various amounts were received from the complainant and his associates through different banking transactions in the accounts of the petitioner as well as other persons connected with them and despite receiving the money, neither the immigration process was completed nor the cheated amount was returned to the complainant. Learned State counsel has further argued that during investigation, substantial incriminating material has surfaced against the petitioner including statement of the complainant, documentary evidence in the shape of bank transactions, RTGS entries and NEFT records showing transfer of substantial amounts into the bank account of the petitioner. It is submitted that an amount of Rs.3,00,000/- was transferred by Avtar Singh, Rs.1,00,000/- by Balbir Singh and Rs.41,750/- by Gurmeet Dass into the bank account of the petitioner. It is further contended that bank transaction dated 09.10.2023 also shows transfer of Rs.5,61,000/- by complainant Raj Kumar into the account of Gurwinder Singh at the asking of co-accused Baltej Singh for onward transfer of money abroad. It is further argued that statements of independent witnesses namely Avtar Singh, Balbir Singh and other village respectables corroborate the allegations levelled by the complainant and support the prosecution version that the amounts were arranged and transferred at the asking of the petitioner and her son. Learned State counsel has also referred to enquiry report dated 16.03.2026 conducted by DSP (PBI), Homicide and Ferocious Unit, Sri Muktsar Sahib, wherein after examination of statements, banking transactions and documentary material, it was found that the petitioner and her son dishonestly induced the complainant to part with huge amounts on false promises of arranging visas and thereafter, failed to return the remaining amount. Learned State counsel has further argued that the petitioner avoided joining the enquiry despite repeated notices and only returned an amount of Rs.1,00,000/- out of the cheated amount whereas approximately Rs.9,02,750/- still remains unpaid. It is submitted that even the partial refund made by the petitioner substantiates the monetary transactions and establishes her direct connection with the alleged cheating. It is also argued that custodial interrogation of the petitioner is necessary to ascertain the complete trail and utilization of the cheated money amounting to approximately Rs.9,02,750/-, which still remains unrecovered, and to identify the role of other persons involved in the conspiracy including co-accused Baltej Singh residing abroad and foreign-based immigration agents to whom the money was allegedly routed. Learned State counsel has further contended that custodial interrogation is also required to verify the authenticity of the immigration process, visa applications and documents relied upon by the petitioner and to ascertain whether similar acts have been committed with other innocent persons. It is further argued that the petitioner did not cooperate during enquiry despite repeated notices and avoided joining investigation and, therefore, effective investigation cannot be carried out without custodial interrogation. Learned State counsel has also submitted that custodial interrogation is necessary for recovery of relevant digital evidence, banking details, communication records and other material connected with the commission of the offence and conspiracy between the petitioner and co-accused. Lastly, learned State counsel has argued that the allegations against the petitioner are serious in nature involving cheating of a huge amount on the false promise of sending the complainant's son and daughter-in-law abroad and the specific role of the petitioner has surfaced on the basis of statements of witnesses, documentary evidence and banking transactions. Accordingly, prayer has been made for dismissal of the present anticipatory bail petition.

5. I have heard learned counsel for the parties and have gone through the record carefully.

6. The allegations levelled against the petitioner are serious in nature. The prosecution case is that the petitioner, in connivance with co-accused Baltej Singh, induced the complainant to part with huge amounts of money on the false assurance of sending his son and daughter-in-law abroad and arranging their visas. During investigation, documentary evidence in the shape of bank transactions, RTGS entries, NEFT records as well as statements of witnesses have surfaced showing transfer of substantial amounts into the bank account of the petitioner. The enquiry conducted by the concerned DSP also *prima-facie* found involvement of the petitioner and co-accused in inducing the complainant to part with money on false promises.

7. The contention raised on behalf of the petitioner that the complainant himself had requested the petitioner and her son to facilitate transfer of money to UK based lawyers and that the amount received in the

bank account of the petitioner was further transferred abroad, are matters which can only be examined during the course of investigation and trial after appreciation of evidence. At this stage, such defence sought to be raised by the petitioner cannot be accepted as a ground for grant of anticipatory bail particularly when specific allegations supported by documentary material and banking transactions have surfaced against her. Similarly, the plea that visa applications had in fact been filed or that the petitioner has been falsely implicated due to dispute regarding refund of money are disputed questions of fact which cannot be conclusively adjudicated upon at the stage of consideration of anticipatory bail.

8. This Court also cannot lose sight of the fact that the petitioner allegedly received substantial amounts in her bank account and only a partial amount of Rs.1,00,000/- is stated to have been returned whereas a substantial amount still remains unpaid. The allegations disclose a well-planned conspiracy involving monetary transactions routed through different accounts and persons including individuals residing abroad. The custodial interrogation of the petitioner appears necessary to trace the money trail, ascertain the involvement of other persons and recover relevant material connected with the commission of the offence.

9. Considering the gravity and nature of allegations, the manner in which the alleged offence has been committed, the material collected during investigation and the requirement of custodial interrogation, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

10. Accordingly, the present anticipatory bail petition stands dismissed.

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

12. However, nothing observed herein shall be construed as an expression on the merits of the case.

(MANDEEP PANNU)
JUDGE

08.05.2026
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No