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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-25313-2026

Gagandeep Singh

....Petitioner

versus

State of Punjab and another

....Respondent

**Date of Decision: May 06, 2026****Date of Uploading: May 06, 2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL****Present:** Mr. Jagjeet Singh, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

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**SUMEET GOEL, J. (Oral)**

Present petition has been filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS')  
for grant of pre-arrest/anticipatory bail to the petitioner, in case bearing  
FIR No.125 dated 14.08.2024 registered under Sections 420, 120-B of IPC  
(Sections 318(4), 61(2) of BNS), at Police Station Ranjit Avenue, District  
Amritsar.

2. The gravamen of the instant FIR reflects that it has been  
registered on the allegations that the petitioner, along with co-accused, in  
furtherance of a criminal conspiracy, floated and operated a company  
namely *Chicago Kisan Credit Producer Company Limited* and induced a  
large number of innocent persons to invest their money in various deposit  
schemes by promising attractive and assured returns. Further, the accused  
persons, by misrepresenting facts and exploiting their influence in the

society, collected huge amounts from the general public through recurring deposits and fixed deposits. It is further alleged that after collecting the said amounts, the company suddenly closed down its operations and the accused persons absconded, thereby dishonestly misappropriating the invested money and cheating thousands of investors. The allegations further disclose a well-planned and premeditated fraud committed upon the persons from general public. Upon these set of allegations, the instant FIR came to be registered.

3. Learned counsel for the petitioner has iterated that a bare perusal of the FIR itself shows that allegations leveled against the petitioner are concocted, improbable and devoid of any merit. Learned counsel for the petitioner contends that the petitioner has been falsely implicated into the FIR in question. Counsel for the petitioner further contends that the FIR in question arises out of a purely civil/commercial dispute relating to financial transactions of the company. It is further submitted that the petitioner, being only a Managing Director of the company, has been falsely implicated without any specific role attributed to him. It is further argued that the company suffered financial losses during the Covid-19 period due to which payments to investors could not be made on time. Counsel submits that efforts are still being made to settle the claims of the investors. It is contended that there is an unexplained delay in registration of the FIR. It is further submitted that the dispute is essentially civil in nature, which has been given a criminal colour. Learned counsel further submits that the entire case is based on documentary evidence which is already in possession of the police and nothing is to be recovered from the petitioner.

3.1. Learned counsel asserts that the custodial interrogation should not be used as a punitive measure and is justified only when absolutely

necessary for the recovery of material evidence. Learned counsel has argued that nothing is to be recovered from the petitioner. Furthermore, the petitioner is ready to join the investigation and hence no useful purpose would be served by sending him behind the bars. On the aforesaid submissions, the grant of anticipatory bail is entreated for.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the allegations against the petitioner is serious in nature. Learned State counsel further submits that the allegations disclose a large-scale economic fraud involving cheating with a large number innocent investor. It is argued that the petitioner was actively involved in inducing the public to invest money in the company. It is further submitted that huge amounts of money have been collected and misappropriated by the accused persons. Learned State counsel further submits that the allegations involve a larger conspiracy and custodial interrogation of the petitioner is necessary to unearth the *modus operandi*, ascertain the involvement of other persons. Given the severity of the offence, there exists a substantial likelihood that the petitioner may abscond or tamper with the evidence, if he is enlarged on bail. On the strength of these submissions, dismissal of the petition in hand is entreated for.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, the allegations against the petitioner are grave and specific. The FIR has been registered on the allegations that the petitioner along with co-accused started a company namely *Chicago Kissan Credit Producers Company Co-operative Limited* and induced the general public to deposit money in FDs/RDs of ₹1,000/- per month for 36 months on the assurance of returning ₹48,236/- on maturity,

but failed to repay the invested amounts. The petitioner is stated to be Managing Director of the said company. The company is stated to have suddenly shut down its operations. It is further the case of the prosecution that despite issuance of notices, the petitioner did not join the investigation. Thus, considering the nature of allegations and his non-cooperation, custodial interrogation is required and no ground for grant of anticipatory bail is made out.

No cause *nay* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interests. The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appears to establish a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187: 1997 SCC (Cri) 1039***], the Supreme Court held as under : (SCC p. 189, para 6)

*“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the*

*suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”*

8. In view of the seriousness of the allegations, this Court finds no compelling ground to extend the benefit of discretionary relief to the petitioner. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The petition is, thus, devoid of merits and is hereby **dismissed**.

9. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

10. Pending application(s), if any, shall also stand disposed off.

**(SUMEET GOEL)**  
**JUDGE**

**May 06, 2026**

*Naveen*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No