(202)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-26140-2026
Date of decision :29.05.2026

MANJINDER KAUR

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rahul Arora, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Mandeep Budhiraja, Advocate for
Mr. Vikram Satpal Anand, Advocate
for the complainant.

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JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 482 BNSS, 2023 is for the grant of anticipatory bail to the petitioner in case FIR No.0037 dated 19.02.2026 (Annexure P-1) registered under Sections 318(4), 338, 336(3) BNS, 2023 (Sections 420, 467, 468 of IPC) and Section 13 of the Punjab Travel Professional (Regulation) Act at Police Station Cantt. Ferozepur, District Ferozepur.

2. The present FIR came to be registered at the instance of Surinder Pal and the same reads as under:-

> *"To, The S. S. P. Ferozepur. Subject: Application regarding taking action against (1) Mehtab Singh, Mobile: 9465717590 son of Gurpreet Singh, resident of Village Buttar, Tehsil Jhoke Tehal Singh, District Ferozepur, (2) Sanjeev Kumar, Mobile 9815322353 alias Sanju son of Shri Raj Kumar, resident of*

Ward No. 8, Garhshanker, District Hoshiarpur. Sir, It is submitted that I am Surinder Pal, resident of temporary resident of Defence Colony, Phase-3, Ferozepur. Someone had told us that the above mentioned accused Mehtab Singh is doing the work of sending people to foreign and my son Rohit Kumar and his wife Payal Arora were willing to go to Foreign country, regarding which I talked with the above mentioned Mehtab Singh and he told us regarding one country name Grand Camane, during continuation of which, our talk took place with him regarding going to Grand Camane, regarding which Mehtab Singh told the expenses of both as Rs.14,00,000/- and he took all our documents, passport, certificate etc. from us and said that we shall receive Rs. 5,00,000/- upon receipt of paper visa and shall receive the remaining amount upon annexing of sticker on the passport. We mortgaged out electronic shop which is at Neem Wala Chowk for a sum of Rs. 16,00,000/- and on 6th August 2025, the above mentioned accused showed the paper visa to us through mobile, during continuation of which on 7th August we after getting executed agreement in the court gave a sum of Rs. 5,00,000/- to him, the video as well as writing of which being proof is in our possession. Thereafter the above mentioned accused Mehtab Singh by showing us the sticker of Quba annexed on the passport made demand of a sum of Rs. 5,00,000/- more from us. We gave the said amount through two cheques of Indian Overseas Bank, which one cheque of Rs. 2 lakhs and one cheque of Rs. 3 lakhs to the above mentioned accused. During continuation of that he by saying regarding Air Tickets received Rs. 4 lakhs from us, the video of which is also in our possession being proof. Thereafter the ticket of 10th September was given to us and we were got called to Delhi on dated 9th and after going to Delhi we came to know that this ticket is fake. Thereafter he said to us that I have been getting booked the ticket from Mumbai, you may *reach at Mumbai. We remained in Mumbai from 10th September to 19th September. While staying of my children in Mumbai, he made requests before us on dated 10th September that help me with a sum of Rs. Two and a half lakhs, once in lieu of which he gave two cheques to us and upon mounting pressure by us he said that the flight is from Jaipur. From 20th September to 25th September we remained in Jaipur. Even then there also no heed has been paid to us and we came back to our house at Ferozepur. Thereafter he gave ticket of 2nd October to us, the same was also fake. Note: in this way the above mentioned accused persons by giving allurement of sending us abroad have committed the cheating of approximately sum of Rs. 20,00,000/- from us. Therefore, you are hereby requested that appropriate legal action may kindly be taken against the above mentioned accused persons and our amount may kindly be got returned to us. Your act will be highly grateful. Dated 03.10.2025. Applicant Sd/- Surinder Pal."*

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact, she is estranged from her husband Mehtab Singh, the main accused. As per her information, a settlement has been arrived at between the complainant on the one hand and Mehtab Singh on the other. As she is a lady and ready and willing to join investigation, she be granted the concession of anticipatory bail.

4. A short reply dated 28.05.2026 by way of an affidavit of Sukhwinder Singh, PPS, Deputy Superintendent of Police (City) Ferozepur has been filed on behalf of the State by the learned counsel for the State. The same is taken on record. He along with the learned

counsel for the complainant contend that investigation has revealed that a sum of Rs.40,000/- was transferred by the complainant from his wife's mobile phone to Manjinder Kaur (petitioner) on 18.09.2025. The contention that the petitioner is estranged from her husband in furtherance of an affidavit dated 08.09.2023 is completely baseless. In fact, Mehtab Singh, the husband of the petitioner is absconding. In case a compromise has been arrived at, the Investigating Agency would have been aware of the same. As the offence is *prima facie* established and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required and therefore, the present petition is liable to be dismissed.

5. I have heard the learned counsel for the parties.

6. The Hon'ble Supreme Court in the case of ***Sumitha Pradeep Vs. Arun Kumar C.K. & Anr.*** ***2022 Live Law (SC) 870*** held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the prima facie case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

> "*It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.*

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. ***In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment.***

> ***Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.***

7. As per the case of the prosecution, the husband of the petitioner Mehtab Singh has admitted that he had taken Rs.20,00,000/- to send the son of the complainant and Payal Arora abroad. He promised to either refund the money or send the complainant and Payal Arora abroad by 02.11.2025. Neither have the victims been sent abroad nor as the money has been refunded. Because of this reason, the complainant has suffered a heart-attack in December, 2025. The petitioner is the wife of the main accused and has also received Rs.40,000/- from the complainant's wife. The defence of the petitioner that she is estranged from her husband is belied from the evidence available on record.

8. Further, the State has filed an affidavit dated 28.05.2026. The relevant extract of the said affidavit enumerating the investigation conducted and the role of the petitioner is reproduced hereinbelow:-

> *"6.That after the enquiry, the allegations of the complainant were found to be true and as such vide report no.1456/Reader/DSP(City) dated 05.02.2026, the answering deponent recommended to register criminal case u/s 318(4), 338,336(3) BNS and 13 of Punjab Travel Professionals Act 2014 against Mehtab Singh, Manjinder Kaur, petitioner, Sanjeev Kumar. The said report submitted before Senior Superintendent of Police, Ferozpeur and revealed following facts:*

a) The complainant, his son Rohit Kumar and daughter-in-law Payal Arora had a conversation with accused Mehtab Singh regarding going abroad. Mehtab Singh said that he would send the son of complainant and daughter-in-law to the UK City of Grand Cayman Island and that the cost of sending them abroad would be Rs. 14 lakh. Mehtab Singh accused also disclosed that Sanjeev Kumar also works with him in sending persons abroad.

b) That accused Mehtab Singh took all the documents, passports, certificates, etc. of the complainant's son and daughter-in-law. On 25- 07-2025, Mehtab Singh gave a paper visa of Grand Cayman Island, UK, to the son of the complainant, on which it was written as work permit and Mehtab Singh said that he will send his son to Grand Cayman Island, UK, via Quba. After giving the paper visa Mehtab Singh took Rs.05 lakh in cash from the complainant on 11-08-2025 at Sakhija Cloth House, Neem Wala Chowk and counted it and Mehtab Singh signed an agreement/contract and got the affidavit attested by a notary public.

c) That complainant, in order to arrange the money, has mortgaged his electronic shop, which is situated at Neem Wala Chowk, Ferozepur Cantonment, for Rs. 16 lakh. After this, at the behest of Mehtab Singh, the complainant transferred Rs. 50 thousand through Paytm through his partner Sanjeev Kumar's mobile number 6280075742 and his son's mobile number 80000-04264, on 31-08-2025, Rs.20 thousand from his mobile number and Rs.50 thousand on 01-09-2025 through phone- payment. In the first week of September 2025, Mehtab Singh called the son of complainant on phone number 80000-04264 on WhatsApp from his phone number 94657-17590 and demanded another Rs.05 lakh by showing the Cuban sticker on the passport, and a photocopy of the Cuban sticker on the *passport, which was given by him. On 03-09-2025, accused Mehtab Singh came to house of complainant and took 02 cheque numbers 683068, 683069 of Indian Overseas Bank and on 03- 09- 2025 for Rs.3 lacs and Rs.2 Lacs respectively and got the same encashed. Mehtab Singh accused further told that he had to purchase the air ticket from Sanjeev Kumar son of Raj Kumar and demanded the remaining amount of Rs.2,80,000/- and the said amount was received in cash by Mehtab Singh accused by visiting the house of complainant. Then, Mehtab Singh sent the tickets of dated 10-09-2025 to the complainant through phone regarding the flight from Delhi and it was stated that the passport will be given by Sanjeev Kumar in Delhi. The complainant talked to Sanjeev Kumar on phone and he said that he will meet him at the airport on dated 10-09-2025 and to handover the passport.*

d) That the complainant along with his son and daughter-in-law reached Delhi on 09-09-2025. After reaching Delhi, it was found that the tickets have been refunded. Accused Mehtab Singh and Sanjeev Kumar called and said that flight has been cancelled for some reason, now flight is from Mumbai on 12-09-2025 and son of complainant and his daughter-in-law should come to Mumbai now. On 10-09-2025, at 06 o'clock in the morning, son of complainant with his wife Payal Arora reached Mumbai by flight. On 12-09-2025, when Mehtab Singh and Sanjeev Arora repeatedly asked to provide ticket and passport by the complainant, they did not give them any ticket or passport. Then, complainant went to the house of Mehtab Singh, after coming to Ferozepur from Delhi and Mehtab Singh demanded Rs. 06 lakh more for airport tickets and work permit money on the assurance of sending him abroad from Mumbai.

e) That thereafter the complainant got transferred

Rs.10000/-, Rs. 10000/-, Rs.40000/- on 16-09-2025, Rs.50000/-, Rs. 10000/- in the account of Mehtab Singh accused from the account of his relative through Google Pay. On 17-09-2025, at the request of Mehtab Singh, the son of the complainant transferred Rs.50000/- to Sanjeev Kumar's mobile number 62800-75742, and on 18-09-2025, Rs. 50000/-, Rs.40000/- were transferred through Google Pay by the complainant from his wife's mobile phone number 98770- 15387 to Mehtab Singh's wife Manjinder Kaur's scanner present petitioner), and the remaining Rs. 90000/- were transferred through Google Pay (total Rs. 3,50,000) and the remaining Rs. Out of Rs 2,50,000, the complainant's son borrowed Rs.1 lakh from his Bajaj Loan account and the remaining Rs.50,000/- from his relatives and the complainant gave it to Mehtab Singh. At that time, son of complainant and his daughter-in-law were in Mumbai and after he took the money, the accused Mehtab Singh etc. said that now their flight will leave from Jaipur, due to which on 20-09-2025, his son reached Jaipur with his wife by bus. After staying in Jaipur for 04 days, the son of the complainant came to his house with his wife. Then, Mehtab Singh, Sanjeev Kumar, Manjinder Kaur, petitioner assured the complainant of returning the money. However, the money was not received and the complainant gave an application number 3148-PC dated 06-10-2025 and both the parties joined in the enquiry by Deputy Superintendent of Police (City) Ferozepur and Mehtab Singh accused admitted that he had taken Rs. 20 lakhs to send the son of the complainant and Payal Arora to abroad and now he will send them abroad by 02-11-2025 or return Rs. 20 lakhs. As promised, they did not give the money but when complainant demanded money, Mehtab Singh and his brother Gurlal Singh alias Lali told him that they were going to cheat him, so do whatever he want.

f) That complainant was tensed and suffered a heart attack on the night of 10-12-2025, after which he was admitted to Delhi Heart Moga.

ROLE OF PETITIONER

That so far as the role of the petitioner is concerned, she is not merely the wife of the main accused Mehtab Singh, rather she actively participated in the commission of the offence in connivance with the co-accused persons. The petitioner was fully aware of the fraudulent activities being carried out by the accused persons under the pretext of sending the son and daughter-in-law of the complainant abroad. During the course of investigation, it has surfaced that substantial amounts cheated from the complainant were transferred to and received in the account/scanner of the petitioner, thereby clearly establishing her active involvement and complicity in the offence.

That the petitioner knowingly facilitated the illegal transactions and assisted the co-accused in inducing the complainant to part with huge amounts of money on false assurances and fabricated documents. The conduct of the petitioner clearly demonstrates her intentional participation in the conspiracy hatched by the accused persons to cheat and defraud the complainant of an amount of approximately Rs.20 lakhs.

That the custodial interrogation of the petitioner is necessary for effecting recovery of the cheated amount, unearthing the complete modus operandi adopted by the accused persons, tracing further monetary transactions and identifying other persons, if any, involved in the commission of the offence. In case the petitioner is granted the concession of anticipatory bail, there is every likelihood that she may influence witnesses, tamper with prosecution evidence or hamper the ongoing investigation.

9. Apparently, the petitioner seems to be in connivance with her husband who is absconding. Therefore, as the offence is *prima facie* established and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required.

10. In view of the aforementioned discussion, I find no merit in the present petition. Therefore, the same stands dismissed.

11. However, the observations made hereinabove are only for the purposes of deciding this bail petition and the Trial Court is free to adjudicate upon the matter on the basis of the evidence led before it uninfluenced by any such observations made herein.

(JASJIT SINGH BEDI)
JUDGE

29.05.2026
JITESH **Whether speaking/reasoned:- Yes/No**
Whether reportable:- Yes/No