



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-27220-2026 (O&M)

Date of decision: 19.05.2026

Kritika

...Petitioner(s)

VERSUS

State of Punjab

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Balkrishan Mehta, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

1. This first petition has been filed for grant of regular bail to the petitioner(s) in case bearing FIR No.140 dated 15.10.2025, registered under Section(s) 140(2), 143(3), 61(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 13 of the Punjab Professionals Travel Act, 2014 at Police Station Lohian, District Jalandhar.

2. The present FIR was registered on the complaint/statement made by Gurnam Singh son of Gurdeep Singh who stated that he had three sons, namely Gurwinder Singh, who was the eldest and pursuing his studies, Ajay, who was studying in +2 and the youngest son Satnam Singh, who was studying in 10th standard. It was alleged that his son Ajay was desirous of going abroad to Australia. In this regard, one Madam Kartika, stated to be a resident of Bawa Basta Singh Colony near Gurdwara Takkar Sahib, Tarn

Taran, was known to the complainant and his family for a considerable period of time. It was further alleged that through the said Madam Kartika, the complainant's elder son Gurwinder Singh had earlier been sent to England. The complainant alleged that negotiations were thereafter settled with Madam Kartika for sending Ajay to Australia against a consideration amount of Rs.20 lakhs, which was to be paid after Ajay reached Australia and obtained a work permit. The FIR further records that pursuant to the aforesaid arrangement, Madam Kartika took Ajay along with his passport to Kolkata on 02.10.2025 and thereafter, on 04.10.2025, took him from Kolkata to Dubai. It was further alleged that on 05.10.2025, the complainant received a WhatsApp call on mobile number 90563-99659 belonging to his younger brother Mangal Singh from mobile number +989228505982. During the said call, the caller informed the complainant that his son Ajay was in their custody and demanded a ransom amount of Rs.70 lakhs for securing his release, while also threatening to kill him in the event the demanded amount was not paid. The complainant further alleged that threats continued to be received through WhatsApp calls from mobile numbers +989228505982 and +33753244577 on the mobile phone of his brother Mangal Singh. The complainant expressed suspicion that the entire occurrence had been orchestrated by Madam Kartika in connivance with her accomplices. In support of the said suspicion, the complainant alleged that earlier also an arrangement had been entered into with Madam Kartika for sending his elder son Gurwinder Singh to England against payment of Rs.16 lakhs, out of which an advance amount of Rs.3 lakhs had been paid, while the remaining amount was to be paid after the boy was taken out from the

camp and granted a work permit. However, Gurwinder Singh was apprehended abroad and was subsequently returned to India. On the basis of the aforesaid allegations, the complainant asserted that Madam Kartika, in conspiracy with her associates, had held his son captive after luring him abroad on the pretext of sending him to Australia and was now demanding ransom amount of Rs.70 lakhs for his release. It was further alleged that in the event any harm was caused to Ajay, Madam Kartika and her associates would be responsible for the same. The complainant thereafter approached the police along with his brother Mangal Singh and got the aforesaid statement recorded, pursuant to which the present FIR came to be registered.

3. Learned counsel for the petitioner contends that the petitioner is a second-year student pursuing a degree in law and had undertaken employment on a part-time basis with a travel agent. It is submitted that, in his capacity as a part-time receptionist, the petitioner came into contact with the co-accused persons. Learned counsel further submits that the allegations levelled in the FIR are to the effect that the co-accused persons had assured the complainant that his son would be sent to Australia and would also be provided a work permit, however, the complainant's son was detained and confined at Tehran, whereafter a demand for ransom amounting to Rs.70 lakhs was raised. He submits that undisputedly no amount whatsoever was ultimately paid by the complainant or his family towards the ransom demand and that the complainant's son subsequently returned safely to his home.

4. It is argued that be that as it may, even if the allegations contained in the FIR are taken at their face value, the offences punishable under Sections 140(2) and 143(3) would not prima facie be attracted in the

facts and circumstances of the present case. It is submitted that for an act to constitute trafficking, the essential ingredient of “exploitation”, as contemplated under Explanation 1 must necessarily be established. It is argued that as per the allegations leveled in the FIR, undisputedly, the element of exploitation, as explained in the statute, is not borne out, hence, it cannot prima facie be inferred that the act amounted to trafficking for the purposes of exploitation. It is further contended that besides, it is not a case of abduction/kidnapping inasmuch as the foundational ingredients constituting the said offences are absent from the prosecution allegations themselves. Learned counsel further submits that insofar as the offence under Section 13 of the Punjab Travel Professionals Regulation Act, 2014 is concerned, the petitioner has not even been challaned under the said provision. It is contended that the petitioner is a young girl aged about 24 years, pursuing her studies in law and there is no material available on record to indicate that any amount was ever transferred to her bank account or that she derived any financial gain from the transaction. It is further contended that the petitioner has been in custody since 30.10.2025 and has already undergone an actual custody of nearly 07 months. It is further submitted that the investigation in the case stands completed and the final report under Section 173 Cr.P.C. has already been presented before the competent Court; however, charges are yet to be framed. It is also pointed out that the prosecution has cited as many as 18 witnesses, hence, the trial is likely to take a long time to conclude.

5. Learned counsel for respondent-State, on the other hand, contends that the petitioner is involved in another case of similar nature that

has been registered against her. The period of actual custody undergone by the petitioner and the stage of trial are, however, not disputed.

6. I have heard the learned counsel appearing on behalf of the respective parties and have gone through the documents appended with the instant petition with their able assistance.

7. Taking into consideration the facts and circumstances as noted above, including the period of actual custody undergone by the petitioner, nature of allegations against her, the stage of the trial coupled with the fact that arguable issues would arise with respect to making out of the offences alleged against her, the absence of recovery from her and bearing in mind that the conclusion of the trial is likely to take a long time, I deem it fit to allow the instant petition.

8. Accordingly, the instant petition is allowed and the petitioner is ordered to be admitted to regular bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaq Magistrate concerned.

9. It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

10. The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

(VINOD S. BHARDWAJ)
JUDGE

19.05.2026

Mangal Singh

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