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**THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.28945 of 2026
Date of Decision: 21.05.2026**

Satnam Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Manoj K. Panchal, Advocate
for the petitioner.

RAJESH BHARDWAJ, J.

1. Present petition has been filed praying for the grant of anticipatory bail to the petitioner in case bearing FIR No.0104, dated 22.04.2026, under Sections 316(2), 318(4) of BNS, 2023 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Khanna City-2, District Ludhiana. Further prayer has been made for staying the arrest of the petitioner during the pendency of the present petition and to release the petitioner on bail in the event of his arrest.

2. Succinctly, the facts of the case are that the police party was on patrolling on 22.04.2026 near the Prestine Mall near GT Road Khanna. At about 4:55 P.M., one Endeavour car bearing registration No.PB 02 DT 2000 was seen coming from Mandi Gobindgarh side,



however, on suspicion, the same was signalled to stop. The same was stopped and parked at one side. Three persons were sitting in is the car and on asking, driver of the Endeavour car disclosed his name to be Lavjit Singh @ Lovely and the person sitting on the conductor seat him disclosed his name to be Jobanpreet Singh @ Joban, whereas the person sitting on the rear seat of the car disclosed his name to be Jagjit Singh @ Jaggu. On suspicion, their personal search was conducted but nothing was recovered from all of them. Thus, search of the car was conducted. On conducting the search of the car, a black coloured envelope from the dashboard of the car was recovered. However, on checking the same, 40 passports of different persons were recovered. They failed to produce any document/licence regarding the possession of the same. It was informed by Jobanpreet Singh that all of them were doing the business of Travel Agent and Immigration under the name and style of Golden Sparrow at Ranjit Avenue, Amritsar. They, by keeping the passports of innocent persons, deceive them by luring them into sending abroad. They keep the original passports with them and cheat by charging huge amount in the name of sending innocent people abroad. Thus, the FIR was registered and all the accused were arrested on the spot. On registration of the FIR, the investigation commenced. During the investigation, complicity of the petitioner, namely, Satnam Singh surfaced and thus, he was also arrayed as an accused in the present case. Apprehending his arrest, the petitioner approached the Court of learned Additional Sessions Judge, Ludhiana praying for the grant of anticipatory bail. However after hearing both the



sides, finding no merit in the same, the learned Additional Sessions Judge, Ludhiana declined the petition filed by the petitioner vide order dated 15.05.2026. Hence being aggrieved, the petitioner is before this Court praying for the grant of anticipatory bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that neither the petitioner is named in the FIR nor any recovery has been effected from him, however, he has been implicated in the present case only on the basis of disclosure statement of co-accused, namely, Jobanpreet Singh @ Joban, which in itself is not even an admissible evidence. He has submitted that even otherwise till date, not even a single person has come with the allegation that their passport has been misused or any immigration fraud is committed by the petitioner. He has submitted that there is nothing on the record against the petitioner except the police authority has found some passports have been shared on whatsapp with the petitioner. He has submitted that there is neither any financial transaction between the petitioner and the other co-accused pertaining to the passports shared nor any visa services has been provided by the petitioner. To buttress his arguments, learned counsel for the petitioner has submitted that the petitioner has no criminal antecedents as he has never been involved in any other case. He has submitted that no *prima facie* case, as alleged against the petitioner is



made out and he is ready to join the investigation, thus, he deserves to be granted anticipatory bail.

4. Notice of motion.

5. On asking of the Court, Mr. Ekompal Sagoo, AAG, Punjab, appears and accepts notice on behalf of the respondent-State. He, however, has opposed the submissions made by learned counsel for the petitioner and has submitted that complicity of the petitioner has been specifically established during the investigation. He has submitted that 40 passports were recovered from the co-accused in the present case. He has submitted that the investigation is still going on and custodial interrogation of the petitioner is very much required. He has submitted that there is likelihood that more revelations may come into light as it seems to be a big scam of immigration which has deep roots. He has further submitted that the investigation is at the initial stage, thus, no case for the grant of anticipatory bail to the petitioner is made out and hence the present petition deserves to be dismissed.

6. The Court has heard learned counsel for the parties and perused the record with their able assistance.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that complicity of the petitioner in the present case has been duly established during the investigation on the basis of disclosure statement of co-accused, namely, Jobanpreet Singh. During the investigation, the police authorities have found some passports have been shared on whatsapp with the petitioner by the co-accused. There is every



likelihood that more revelations may come into light as it seems to be a big scam of immigration which has deep roots and thus, custodial interrogation of the petitioner is required. As submitted before this Court by learned counsel for the State that the investigation is still going on and it can only be brought into the light that as to how the petitioner was associated with other co-accused, who were apprehended by the police on the spot on 22.04.2026. There are almost 40 passports of different persons recovered from the co-accused in the present case. In such like offences like human trafficking are on rise where the people under the impression of green pasture of foreign country are being deceived. Allegations against the petitioner are serious in nature. Needless to say that the investigation is at threshold.

8. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) BNSS which reads as under:-

“Direction for grant of bail to person apprehending arrest:

- 1. When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
- 2. When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*
 - (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*



- (ii) *a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) *a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) *such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section."*

9. As per the law settled by the Hon'ble Supreme Court, in ***Gurbaksh Singh Sibbia Vs. State of Punjab***, AIR 1980 SC 1632, while granting anticipatory bail, the Court is to maintain a balance between the individual liberty and the interest of society. However, the interest of the society would always prevail upon the right of personal liberty. The relevant part of the judgment is as follows:-

“31. *In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too*



numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in State v. Captain Jagjit Singh (1962) 3 SCR 622, which, though, was a case under the old Section 498 which corresponds to the present Section 439 of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail."

10. The Hon'ble Supreme Court in ***State Vs. Anil Sharma***, (1997) 7SCC 187, held as under:-

“6. *We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable 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.”

11. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been prima facie found. Needless to say, the investigation is at threshold and in the facts and circumstances, custodial interrogation of the petitioner would be essential and granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

12. In view of the overall facts and circumstances of the case, the petitioner does not qualify for the grant of anticipatory bail and the same is hereby dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

21.05.2026

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

(RAJESH BHARDWAJ)
JUDGE