IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-31014-2025 (O&M)
Date of decision: 25.02.2026

Deepinder Kaur @ Dapinder Kaur ...Petitioner(s)

VERSUS

State of Punjab ...Respondent(s)

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

Present :- Mr. P.S. Punia, Advocate and
Ms. Manleen Kaur, Advocate for the petitioner(s).

Mr. Mohit Kapoor, Sr. DAG Punjab

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VINOD S. BHARDWAJ, J. (Oral)

This first petition has been filed for grant of pre-arrest bail to the petitioner(s) in case bearing FIR No. 43 dated 16.03.2025 for offence(s) under Sections 420, 120-B of the Indian Penal Code, 1860 and Section 24 of the Emigration Act, 1983 registered at Police Station Model Town, District Police Commissionerate Ludhiana.

2. When on 02.07.2025, the matter had come up for hearing before this Court, the following order was passed:-

> *"Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.0043 dated 16.03.2025 under Sections 420 and 120 B of the IPC and Section 24 of the Immigration Act, registered at Police Station Model Town, District Police Commissionerate Ludhiana.*
>
> *Mr. Abhinav Prashar, Advocate has entered appearance*

and filed his power of attorney on behalf of the complainant which is taken on record.

Learned counsel for the petitioner submits that there was no documented bank transaction between the complainant and the accused including the petitioner to support the alleged demand of money for procuring work visa for the complainant at Maldives.

However, learned counsel appearing for the complainant while opposing the prayer and submissions made by the counsel opposite, has drawn the attention of this Court to the allegations levelled in the FIR wherein there are categoric allegations to the contrary; rather it has been explicitly alleged that there were entries in the bank accounts of the accused including the petitioner to support the allegations levelled in the FIR.

Learned counsel for the petitioner has, however, controverted the submissions made by learned counsel for the complainant and asserted that following the registration of the FIR, it had come to light that not even a single penny had ever been deposited by the complainant into the bank accounts of either the petitioner or her father i.e. co-accused Nikka.

In the circumstances, the State is directed to file its response to the submissions made by learned counsel for the petitioner.

Adjourned to 31.07.2025.

Meanwhile, no coercive steps shall be taken against the petitioner only till the next date of hearing."

3. Learned counsel appearing on behalf of the petitioner contends that the FIR was registered on the complaint of Kishan Kumar. The same reads thus:-

"To the Commissioner of Police Ludhiana: Subject- Complaint against 1. Nikka (Mobile No.87290-18661) resident of Village Phallewal, Tehsil and District Ludhiana and 2. Deepu resident of Village Gujjarwal, Tehsil and District Ludhiana. Sir, the complaint respectfully submit as under: 1. That the complainant is peace loving and law abiding citizen of India. The complainant has been working as Manager on Gill Petrol Pump, Dugri Road, Ludhiana. 2. That earlier the above said accused No.1 Nikka was also working with the complainant on the above said petrol pump. The complainant was desirous of going abroad i.e. Maldives on work permit viza. When accused No.1 Nikka came to know about it, then he induced the complainant that his daughter accused No.2 Deepu is residing abroad i.e. Maldives and in case the complainant so desires, they can help the complainant in securing the work permit viza of Maldives for the complainant. Even accused No.1 Nikka arranged the talk of the complainant with his daughter Deepu on whatsapp call. Accused No.2 Deepu also assured to the complainant that she can help the complainant in securing the work permit viza of Maldives. However, for this purpose,

both the accused Nikka and Deepu demand a total amount of Rs.1,35,000/- from the complainant and they induced the complainant that in case of any reason, they could not secure the work permit viza of Maldives for the complainant, then they will return the entire amount received by them for the complainant. The complainant is in the possession of audio recording as well as Whatsapp chat of the above said accused making demand of Rs.1,35,000/- from the complainant for arranging his work permit viza. 3. That the complainant believed upon the above said accused in good faith. The above said accused took the requisite documentation of the complainant. On the demand of the above said accused, the complainant paid various amounts to the above said accused from time to time. The complainant has already paid a huge amount of Rs.1,30,000/- to the above said accused through different transactions and all these payments have been made through bank entries. 4. That the last amount of Rs.30,000/-was paid by the complainant to the above said accused on 04.05.2024 and the above said accused has assured and promised to the complainant that the viza of the complainant will be delivered maximum upto the end of May, 2024. 5. That already a long period of time has been expired, but the viza of the complainant has not been issued till date. Even in between above said accused No.1 Nikka has left his service from M/s Gill Petro. 6. That now recently accused No.2 Deepu visited

India and on coming to know about this, the complainant immediately visited both the above said accused to inquire them about the status of his work permit viza, but the accused did not give any satisfactory reply. At this the complainant requested both the accused that in case they are unable to secure work permit viza of the complainant, then they should return the money taken by them from the complainant. But due to the shock and surprise of the complainant, the behavior and attitude of both the above said accused turned totally defined and they openly proclaimed that they will neither arrange the work permit viza of the complainant nor they will return the money of Rs.1,30,000/- taken by them from the complainant. The accused further proclaimed that from the very beginning they had no intention either to secure work permit viza of the complainant or to return the money of the complainant. In this manner, both the above said accused with prior dishonest and fraudulent intentions from the very beginning and with malice in their mind, have committed a big fraud and cheating with the complainant and they have caused wrongful loss to the complainant and wrongful gain to themselves and that is pertinent to mention that the above said amount of Rs.1,30,000/- was paid by the complainant to the above said accused after taking the amount of Rs.1,00,000/- as loan on interest and the complainant has been paying the interest of Rs.10,000/-against the above said loan amount. It is therefore *requested that FIR under the appropriate provision of law may please be registered against the above said accused and they may please be arrested as per law for the offence committed by them and the amount of money of the complainant may please be got returned from them. Thanking you."*

4. Learned counsel appearing on behalf of the petitioner contends that the petitioner has been falsely implicated in the present case. He contends that the only allegations against the petitioner are to the effect that she assisted the complainant by telling the name of the agent and asked him to contact the said person for going abroad. Neither the amount of any nature whatsoever had been paid to the petitioner nor was she benefited in the said transaction. He further contends that the Investigating Agency even chose not to associate other persons, in whose account(s) the money was credited. It is contended that the petitioner thus cannot be held liable to pay the sum of Rs.1.35 lakh, which was undisputedly deposited by the complainant in the account(s) of the travel agent(s). He further contends that father of the petitioner has also been granted the concession of anticipatory bail vide order dated 18.07.2025 in case bearing No.BA/4430/2025 passed by the trial Court.

5. It is also contended by the counsel for the petitioner that the present FIR was lodged after nine months of the payment of amount in question. He contends that the petitioner has clean antecedents and that the custodial interrogation of the petitioner is not required in the present case.

6. Learned State counsel does not dispute the aforesaid factual aspects.

7. 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.

8. In view of the above, the present petition is allowed. The petitioner is directed to appear before the Investigating Officer and join the investigation on 09.03.2026 at 11.00 AM, whereupon the petitioner shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) of 2023.

9. It is made clear that in pursuance to and in compliance with this order, the petitioner does not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

(VINOD S. BHARDWAJ)
JUDGE

25.02.2026
Mangal Singh

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