

CRM-M-42973-20251

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-42973-2025
Decided on: 24.03.2026

Balvir Pal.....Petitioner

Versus

State of Punjab and anr.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai, Advocate
Mr. Akhil Godara, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr, DAG, Punjab.

SANJAY VASHISTH, J.

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Balvir Pal	159	13.07.2025	420, 406 IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014	City Phagwara	Kapurthala

2. After hearing learned counsel for the petitioner on 07.08.2025 following was recorded:



“1. xxxxx

2. On oral request of learned Senior counsel for the petitioner, complainant- Sohan Lal is impleaded as party/respondent No.2.

Let amended memo of parties be filed in the Registry within a week, without moving any separate application.

3. Learned counsel for the petitioner contends that complainant, Sohan Lal, registered the FIR after a delay of one year, alleging that the petitioner, Balvir Pal, along with other co-accused, had assured him of sending his son, Mulkh Raj, and daughter-in-law, Ekta, to England. It is submitted that Ekta has already been sent and settled in England on a visa issued on 25.07.2024; however, Mulkh Raj could not be sent as he was ineligible. Sponsorship is required, which is to be forwarded by his wife, Ekta, from England. Counsel further submits that no criminal offence has been made out as the FIR was registered merely due to dissatisfaction arising from the failure to send the son of the complainant to England and join his wife's company.

Moreover, it is alleged that an amount of Rs. 5 lakhs was received by the petitioner, who, however, disputes his liability but is willing to deposit the said amount. It is further submitted that the petitioner is ready and willing to join the investigation and cooperate with the investigating agency. Hence, a prayer is made for the grant of anticipatory bail.

4. Notice of motion.

On advance notice, Mr. Neeraj Madaan, Sr. DAG, Punjab puts in appearance on behalf of the respondent – State. He seeks some time to file reply.

5. Adjourned to 11.11.2025.

6. However, the petitioner is directed to pay an amount of Rs. 5 lakhs either directly to the complainant or deposit the same before the Investigating Officer for further transmission to the complainant.

7. Meanwhile, petitioner is directed to join the investigation as and when required to do so by the Investigating



Agency. In the event of his arrest, the petitioner shall be released on interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

8. *Besides, it is directed that petitioner would hand over his passport to the Investigating Agency or to Court concerned, if he possesses. Otherwise, would submit an affidavit, disclosing the fact that he does not possess any passport.*

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Continuing his submissions, learned Senior Counsel for the petitioner submits that, in compliance with the order dated 07.08.2025 passed by this Court, petitioner has joined the investigation; however, due to financial constraints, he could not deposit the amount of ₹5 lakhs, which he had undertaken to pay before this Court in the said order.

He, therefore, prays that the interim anticipatory bail order be confirmed, subject to the condition that the aforesaid amount be deposited within a time-bound period.

4. On instructions from SI Darshan Singh, learned State counsel submits that, in pursuance of the directions issued by this Court, petitioner has joined the investigation on 27.08.2025. It is further submitted that, in case the undertaking given by the petitioner regarding deposit of ₹5 lakhs is complied with, he has no objection to the interim order being made absolute.

5. I have heard learned counsel for the parties and perused the paper-book.

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6. Since the petitioner has already joined the investigation, ad-interim bail order dated 07.08.2025 passed by this Court is hereby made absolute. Accordingly, present petition stands allowed.

It is made clear that the petitioner shall continue to join the investigation as and when required and shall abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

However, it is clarified that the present order is subject to the following conditions:

(i) In case the petitioner fails to deposit the amount of ₹5 lakhs, which he had undertaken to deposit, within a period of two weeks from today, i.e., on or before 07.04.2025, the present order shall be deemed to be inoperative for all intents and purposes, and it shall be open to the Investigating Officer to proceed in accordance with law.

(ii) Petitioner shall submit his passport, or an affidavit regarding non-possession of a passport (if he does not possess one), to the Investigating Agency or the Court concerned within a period of one week from today. In default thereof, the present order shall also be deemed to be inoperative, and the Investigating Officer shall be at liberty to proceed with the arrest of the petitioner.

7. Accordingly, petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

24.03.2026
Rashmi

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**