2026:PHHC:041031

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-46931-2025

Guneet Chawla @ Guneet Bajaj

...Petitioner

Versus

State of Haryana

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	12.03.2026
2	The date when the judgment is pronounced	17.03.2026
3	The date when the judgment is uploaded on the website	17.03.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

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MANISHA BATRA, J :-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 180 dated 05.07.2025 registered under Sections 406 and 420 of IPC at Police Station Baldev Nagar, District Ambala.

2. The aforementioned FIR was registered on the basis of a written

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complaint submitted by the complainant Jaspreet Singh alleging therein that the petitioner who was running an agency in the name of M/s Soft Touch Consultants at Ludhiana had entered into an agreement with him to send him abroad on his spending an amount of Rs. 22,00,000/-. As per the terms of the agreement which were executed on 02.01.2024 at Jaggi City Centre, 50% amount i.e. a sum of Rs. 11,00,000/- had been paid in cash by the complainant to the petitioner. An amount of Rs. 3,71,791/- was transferred in her bank account. His file was moved for issuance of VISA. However, he was informed that a refusal letter had been issued by the concerned embassy. The complainant came to know that the refusal letter so provided by the petitioner to him was infact a forged and fabricated document. When the complainant asked for his money back, instead of giving the same, she stopped picking up the calls of the complainant and also closed her office. By alleging that he had been cheated at the hands of the petitioner, the complainant prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. The petitioner avoided joining investigation. Apprehending her arrest, the petitioner moved an application for grant of pre-arrest bail before the learned Additional Sessions Judge, Ambala which was dismissed vide order dated 25.07.2025.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She has already paid an amount of Rs. 9,00,000/- to the complainant and is ready to pay the remaining amount. A

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settlement has been arrived at between her and the complainant. She is not the owner of the immigration firm and in fact it was her husband who was a licensed immigration consultant. He is behind bars. She is ready to join the investigation. Her custodial interrogation is not required. She is not beneficiary of any transaction. She is ready to give back the money to the complainant. It is, thus, argued that the petition deserves to be allowed.

5. Status report has been filed. Learned State counsel has argued that an amount of Rs. 3,71,791/- was transferred in the account of the petitioner from the bank account of the complainant. Her complicity in the crime *prima facie* stands established. For conducting thorough and proper investigation, custodial interrogation is must. Therefore, it is stressed that the petition does not deserve to be allowed.

6. The complainant has appeared in-person and has submitted that a settlement has been arrived at between him and the petitioner has also admitted that he has received an amount of Rs. 9,00,000/- from the petitioner. He has also not raised any serious objection to the allowing of the petition.

7. This Court has heard learned counsel for the parties at considerable length.

8. The petitioner in connivance with her husband is alleged to have duped the complainant of a huge amount of money on the premise of sending him abroad. The allegations *prima facie* make out a case for commission of subject offences against her. However, given the nature of the allegations and the circumstances as mentioned above to the effect that the complainant has

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not raised any serious objection as to the allowing of the petition, this Court is of the considered opinion that pre-trial incarceration of the petitioner is not required. It is well settled proposition of law that pre-trial incarceration should not be a replica of post-conviction sentencing. As such, the petition is allowed, and the petitioner is ordered to be admitted on bail. The petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within ten days from today and subsequent also as and when required. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

9. It is further clarified that the observations made above are only for the purpose of consideration of application for pre-arrest bail and the same shall not in any manner influence the trial. The trial Court shall consider the case on its merits and without being influenced by this order.

10. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

17th March, 2026
Parveen Sharma

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No

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