

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:027933



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CRM-M-50851-2025 (O&M)
Date of decision:23.02.2026

Parvati

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Himanshu Bindal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

...

Manisha Batra, J. (Oral).

1. The instant petition has been filed by the petitioner for grant of anticipatory bail in case arising out of FIR No.125, dated 27.06.2025, registered under Section 316(2), 318(4) and 61(2) of the BNS and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, at Police Station Mukerian, District Hoshiarpur.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by complainant – Harish Sharma, alleging therein that he was interested to settle abroad. In November, 2024, he was introduced with the present petitioner and her son Karan Jairath with his acquaintance Atin Jora. Both Karan Jairath and the petitioner represented to him that they were engaged in the business of sending people abroad and assured that they

could arrange to send him to U.K. and help him settle there. The petitioner also made the complainant speak to her son Kartik Jairath, who had been residing in U.K. through her phone. She represented that she was a frequent traveller to U.K. and had strong contacts in British Embassy as well. The petitioner and co-accused Karan Jairath demanded a sum of Rs.12.50 lakhs for settling him abroad and for issuance of visa etc. From November, 2024 till 18.12.2024, they took an amount of Rs.7.50 lakhs from him but thereafter no visa was got issued by them nor they returned the money of the complainant despite several requests.

3. After registration of FIR, investigation proceedings have been initiated and the same are underway. Apprehending her arrest, the petitioner moved an application for grant of pre-arrest bail, which has been dismissed by the Court of learned Judge, Special Court, Hoshiarpur vide order 29.08.2025.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She is an aged female. The ingredients for commission of subject offences are not at all made out against her. Infact, the petitioner is in possession of a property measuring 10 marlas situated in Gandhi Colony, Mukerian. Two brother, namely, Jatin Menrai and Jitender Menrai in furtherance of their illegal designs and by using coercive tactics, had compelled the son of the petitioner to execute a transfer deed of the abovesaid property in favour of one of their associates by exerting undue influence and threats. To give a semblance of legality to the said transaction, they transferred an amount of Rs.17 lakhs in the bank account of the petitioner on 14.11.2024 and then under duress and at gun

point, the son of the petitioner was coerced to immediately transfer the said amount in favour of one Nirmal Singh, who is one of the associate of the above named Jatin Menrai and Jitender Menrai. A sum of Rs.16,20,000/- was then credited into the account of the petitioner by one Manish Kansal, another associate of Jatin Menrai and Jatinder Menrai but the said amount was also got withdrawn. A writ petition has been filed by the petitioner against above named Jatin Menrai and Jatinder Menrai and the FIR of this case has been got registered against the petitioner at the behest of Jatin Menrai and Jatinder Menrai. The complainant of this case is none else than an employee/close aide of associate of Jatin Menrai and Jatinder Menrai. The petitioner is not engaged in any business of Immigration Consultancy or in activity of facilitating or arranging for travel visa of individuals abroad, especially United Kingdom. The petitioner has no involvement, direct or indirect, in such a line of business. She has never met the complainant. A totally false story has been concocted. The so called consideration paid for the alleged transfer of property was never intended to be retained by the petitioner but was retrieved by Jatin Menrai and Jatinder Menrai. She is not beneficiary of any transaction. She is ready to join investigation. No recovery is to be effected from her. Her custodial interrogation is not required. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel has argued that the allegations against the petitioner are serious in nature. For conducting proper and thorough investigation in the matter, her custodial interrogation is must. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned

counsel for the parties.

7. The petitioner is alleged to have induced the complainant to part with a sum of Rs.7.50 lakhs on the pretext of sending the complainant to United Kingdom. Out of the aforementioned amount, an amount of Rs.3 lakhs was alleged to have been given on 27.11.2024 and the amount of Rs.4.50 lakhs was handed over on 18.12.2024. Respondent has not produced any receipt/acknowledgement qua receiving the aforementioned amount in cash by the petitioner nor it is the case of the complainant that the aforementioned amount was deposited in the bank account of the petitioner. The petitioner has levelled counter allegations by submitting that she never met the complainant and was not involved in the business of Immigration and infact, she has been implicated on the behest of Jatin Menrai and Jatinder Menrai, who are employees of the complainant. The veracity of these allegations and counter allegations is to be tested during the course of trial. Given the nature of the allegations, the fact that there is no document on record qua handing over amount of Rs.7.50 lakhs to the petitioner and the attendant facts and circumstances peculiar to the case, 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. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail, subject to the condition that the petitioner shall surrender before the Investigating Officer/Arresting Officer within a period of 10 days from today and shall join the investigation. She shall also join investigation as and when required subsequently. In the event of her arrest, the Investigating/

Arresting Officer shall release the petitioner on interim bail on furnishing personal as well surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNS.

8. It is, however, clarified that nothing stated above shall have any bearing on the merits of the case.

9. Pending application(s), if any, shall also stands disposed of.

23.02.2026

harjeet

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

(MANISHA BATRA)
JUDGE