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(102A)
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
CRM-M-56624-2025
Date of decision :23.02.2026

AMANPREET

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sukhwinder Singh, Advocate with
Mr. Ashutosh Vig, Advocate and
Mr. Harman Bir Singh Juneja, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

Mr. Ramaninder Singh, Advocate for
Mr. H.S. Multani, Advocate
for respondent No.2.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 483(3) of BNSS, 2023 and Section 528 of BNSS is for quashing/setting aside the order dated 31.07.2025 (Annexure P-1) and order dated 10.09.2025 (Annexure P-2) passed by this Court in case FIR No.28 dated 31.01.2022 registered under Sections 406, 420, 120-B IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police Station City Rajpura, District Patiala whereby bail has been granted to respondent No.2-Rupinder Kaur.

2. The brief facts of the case are that an FIR No.28 dated 31.01.2022 under Sections 406, 420, 120-B IPC and Section 13 of Punjab

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District Patiala came to be registered against Paramjit Singh S/o Balbair Singh Cheema and his sister-in-law Rupinder Kaur (respondent No.2) with the allegations that they had duped the petitioner/complainant (hereinafter known as the petitioner) of an amount of Rs.56,00,000/- on the pretext of sending his son to USA.

3. After registration of the FIR, the petitioner was initially granted the concession of interim anticipatory bail vide order dated 31.07.2025 (Annexure P-1). Thereafter, the said order granting anticipatory bail was confirmed vide order dated 10.09.2025. The relevant extract of the said order is as under:-

“3. Vide order dated 31.07.2025 passed by a Coordinate Bench of this Court, the petitioners had been granted interim anticipatory bail with direction to join investigation.

4. Learned counsel for the petitioners, at the outset, submit that the petitioners have complied with the order dated 31.07.2025, and joined investigation.

5. Learned State counsel, on instructions, also does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioners are not required for further investigation, much less for their custodial interrogation.

6. In view of the above, the instant petitions are disposed of, and interim order dated 31.07.2025 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

7. Copy of this order be placed on the file of the connected case.”

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4. Without seeking permission of the Court, respondent the No.2-Rupinder Kaur has gone to USA leading to the filing of the instant petition seeking cancellation of anticipatory bail granted to her.

5. The learned counsel for the petitioner contends that in terms of the conditions laid down in Section 482(2) BNSS, 2023, the accused shall not leave India without the prior permission of the Court. In the instant case, the respondent No.2-Rupinder Kaur has gone to USA without permission of the Court and therefore, the impugned orders granting bail to her are liable to be quashed/cancelled and she be directed to surrender forthwith.

6. The learned State counsel while referring to the status report dated 08.12.2025 contends that it has been found during inquiry that Paramjit Singh and his co-accused Rupinder Kaur (respondent No.2) have gone abroad without taking prior permission from the Court and therefore, bail granted to her is liable to be quashed.

7. The learned counsel for respondent No.2 has not disputed the fact that the respondent No.2-Rupinder Kaur has gone abroad without seeking permission of the Court in terms of Section 482(2) BNSS, 2023. He, however, states that the respondent No.2 is ready and willing to return back shortly.

8. I have heard the learned counsel for the parties.

9. Before proceeding further in the matter, it would be apposite to refer to Section 482(2) BNSS which reads as under:-

*“482. Direction for grant of bail to person apprehending arrest.
—(1) When any person has reason to believe that he may be*



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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.”

10. A perusal of the aforementioned provision would reveal that one of the conditions imposed at the time when anticipatory bail is granted is that the person shall not leave India without the prior permission. In the present case, the respondent No.2-Rupinder Kaur has left India without prior permission of the Court. Therefore, bail granted to her is liable to be cancelled.

11. In view of the aforementioned discussion, I find merit in the present petition. Therefore, the order dated 31.07.2025 (Annexure P-1) and order dated 10.09.2025 (Annexure P-2) are quashed. Bail granted to the

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respondent No.2-Rupinder Kaur is cancelled. The respondent No.2-
Rupinder Kaur is directed to surrender forthwith.

(JASJIT SINGH BEDI)
JUDGE

23.02.2026

JITESH

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