



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(209)

CRM-M-57465-2025

DATE OF DECISION: 09.01.2026

Amandeep Kohli

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE SUBHAS MEHLA

Present Mr.Deepak Arora, Advocate, for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Ms. Amarjot Kaur, Advocate, for the complainant.

SUBHAS MEHLA, J (ORAL)

1. The present petition filed under Section 482 BNSS, 2023 seeking anticipatory bail to the petitioner in a case bearing FIR No.112 dated 17.09.2025, under Sections 420 IPC and Section 13 of Punjab Travel Professionals (Regulations) Act, 2014, registered at Police Station Sadar Gurdaspur, District Gurdaspur.

2. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case which was registered against the petitioner on the statement of complainant Dilbagh Singh, his brother Gagan Kohli along with mother for committing fraud and cheating of Rs.27,50,000/- on pretext of sending his son Tejvir Singh to America; there is no documentary evidence on record that any amount has been ever paid to the petitioner by the complainant; complainant is habitual of moving false allegations against the petitioner, which on inquiry were found false and learned counsel prayed for anticipatory bail as the petitioner is ready to join the investigation.



3. On the other hand, learned State counsel submitted that an audio clip is handed over by the complainant to the police, in which petitioner is admitting his complicity in the alleged offence and the said audio clip is required to be sent to FSL; petitioner is required for custodial interrogation to collect the evidence and recovery of the alleged cheated amount and prayed for dismissal of the present petition.

4. Ms.Amarjot Kaur, Advocate, appeared on behalf of complainant and supported the stand taken by learned State counsel and prayed for dismissal of the bail petition.

5. Heard.

6. Keeping in view the allegations levelled against the petitioner and the fact that the complainant has handed over an audio clip to the police in which petitioner has admitted his complicity in the alleged offence and the said audio clip is required to be sent to FSL; custodial interrogation of the petitioner is required for recovery of alleged money, discretionary relief of anticipatory bail cannot be granted to the petitioner in view of law laid down by the Hon'ble Supreme Court in case titled as '**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806' decided on 03.08.1997**, wherein it has been held as under:-

"....custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favorable order under Section 438 of the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated.

Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring would not conduct themselves as offenders.”

7. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
8. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

09.01.2026
mamta

(SUBHAS MEHLA)
JUDGE

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