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

CRM-M No.57965 of 2025

Date of Decision: 19.02.2026

Taranjit Singh

..... Petitioner

Versus**State of Punjab and another**

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Damanjit Singh Sandhu, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

Mr. Abnash Singh, Advocate
for the complainant.

RAJESH BHARDWAJ, J.

1. Present second petition has been filed praying for the grant of anticipatory bail to the petitioner in case bearing FIR No.0009, dated 17.01.2025, under Section 318(4) of BNS, 2023, registered at Police Station City Balachaur, District SBS Nagar, Punjab.

2. Succinctly, the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Priyanka, w/o Sukhdeep Singh. It was alleged that the petitioner, namely, Taranjit Singh along with co-accused, namely, Deepinderjit Kaur and others committed cheating upon the complainant and had taken the amount of Rs.9,76,500/- on the pretext of sending the complainant,



Priyanka, to America. It was alleged that all the accused were doing the work of travel agents and had opened an office in Mohali in the name of Niamat Overseas Consultants Private Limited. The complainant wanted to apply for USA study visa and on account of the same, she contacted the accused at Mohali office. She believed them and then, the complainant transferred an amount of Rs.29,000/- through google pay on 12.04.2022 in the account of Deepinderjit Kaur, in the month of May, 2022 an amount of Rs.98,000/- in cash was given to Bhupinder Singh at Machiwara at his house, who gave the same to his father, namely, Karamjit Singh. Thereafter, the complainant and her husband gave an amount of Rs.48,000/- in cash to Bhupinder Singh and further on 03.08.2022, husband of complainant, namely, Sukhwinder Singh transferred an amount of Rs.29,500/- through google pay in the account of Deepinderjit Kaur. On 09.08.2022, father-in-law of the complainant transferred the amount of Rs.6,00,000/- in the account of Hardeep Singh and then, in the month of October, 2023, the complainant gave an amount of Rs.1,00,000/- in cash to the petitioner, namely, Taranjit Singh. It was further alleged that on 11.01.2024 an amount of Rs.25,000/-; on 22.01.2024 an amount of Rs.25,000/- and on 21.02.2024 an amount of Rs.17,000/- were transferred in the account of Deepinderjit Kaur through google pay and thus, in total, the complainant paid an amount of Rs.9,76,500/- to the all the accused persons for sending her to America but neither they sent her to America nor they returned her money. The complainant and her husband found that they were cheated by all the



accused and thus, the request was made to take legal action against all the accused. On the basis of the complaint, the FIR was registered and the investigation commenced. Apprehending his arrest, the petitioner approached the Court of learned Additional Sessions Judge, Shaheed Bhagat Singh Nagar praying for the grant of anticipatory bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Shaheed Bhagat Singh Nagar declined the bail application filed by the petitioner vide order dated 17.06.2025. Being aggrieved, the petitioner earlier approached this Court praying for the grant of anticipatory bail by way of filing CRM-M-35583-2025, however the same was dismissed as withdrawn vide order dated 10.07.2025. Hence being aggrieved, the petitioner is again before this Court praying for the grant of anticipatory bail by way of filing the present second petition.

3. This Court vide order dated 15.10.2025, on the submission made by learned counsel for the petitioner that the petitioner is ready to return the amount of Rs.1,00,000/- to the complainant, no coercive action was ordered to be taken against the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. He has submitted that the petitioner is a government employee as he is working as head constable in the Punjab Police. He has submitted that the allegations made against the petitioner are that he had a transaction for an amount of Rs.1,00,000/- by the complainant in his favour. He has



submitted that neither any amount has been received by the petitioner in cash nor in his account. He has further submitted that the petitioner is not the signatory in any capacity of documents or other related evidence and all the evidences are based upon the documentary evidences. He has further submitted that the present second petition is maintainable and thus the petitioner deserves to be granted anticipatory bail.

5. Learned counsel for the State however has vehemently opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner was specifically named in the FIR and he was very much involved in the offence. He has further submitted that the petitioner intentionally committed the fraud and cheated the complainant for an amount of Rs.9,76,500/-. He has submitted that the complainant was duped by the petitioner on the pretext of sending her to America. He, on instructions, has further submitted that the petitioner is a habitual offender, who is already involved in two more cases. He has further submitted that the proceedings for declaring the petitioner as proclaimed person in the present case has also been initiated by the investigating officer. He has submitted that wife of the petitioner is the main accused, who is already behind bars from last more than 11 months. He has further submitted that the petitioner has misused the concession of interim protection already granted to him vide order dated 15.10.2025 on the submission made by learned counsel for the petitioner that the petitioner is ready to settle the dispute with the complainant. He has submitted that the investigation is at threshold and thus, no case for the



grant of anticipatory bail to the petitioner is made out and the present petition deserves to be dismissed.

6. Learned counsel for the complainant however has opposed the submissions made by learned counsel for the petitioner. He has submitted that the petitioner along with other co-accused had committed a grave offence, wherein they cheated the complainant by taking an amount of Rs.9,76,500/- for sending her to America. He has submitted that the allegations made against the petitioner are serious in nature. He has thus submitted that no case for the grant of anticipatory bail to the petitioner is made out and thus the present petition deserves to be dismissed.

7. Heard.

8. Perusal of the record would show that the first anticipatory bail petition filed by the petitioner bearing CRM-M-35583-2025 was dismissed as withdrawn vide order dated 10.07.2025. Hence, this is the second petition filed by the petitioner praying for the grant of anticipatory bail. However, on the submission made by learned counsel for the petitioner that the petitioner is ready to return the amount of Rs.1,00,000/- to the complainant on 15.10.2025, no coercive action was ordered to be taken against the petitioner but the petitioner has misused the same.

9. After hearing learned counsel for the parties and perused the record, it is apparent that this is the second petition filed by the petitioner praying for the grant of anticipatory bail. It is deciphered that the



petitioner was specifically named in the FIR and he was very much involved in the offence. The complainant was duped by the petitioner on the pretext of sending her to America. The petitioner intentionally committed the fraud and cheated the complainant for an amount of Rs.9,76,500/-. The petitioner is a habitual offender, who is now facing prosecution in two more cases of the similar nature bearing FIR No.29, dated 01.04.2024, under Section 420 IPC, registered at Police Station Sadar Banga, District SBS Nagar, Punjab and FIR No.67, dated 07.09.2024, under Section 420 IPC, registered at Police Station City Balachaur, District SBS Nagar, Punjab. Wife of the petitioner is the main accused, who is already behind bars from last more than 11 months. The allegations against the petitioner are serious in nature. The counsel for the petitioners failed to convince the Court regarding the failure of the mediation as undertaken before this Court. This Court finds that evidently the investigation is at threshold. The interim protection granted to the petitioner was only on the undertaking given before this Court that the petitioner was ready to settle the dispute but the same has been misused.

10. The Hon'ble Supreme Court in a recent judgment of '**Gajanan Dattatray Gore Vs. State of Maharashtra**', 2025 INSC 913' has held that bails should not be granted solely on the undertaking given by the accused persons. The relevant part of the same reads as under:-

'Be that as it may, now we have made ourselves very clear that there shall not be a single order that the High Courts and the Trial Courts shall pass for grant of regular bail or anticipatory bail on the basis of any accused or his/her family



members giving an undertaking to deposit a particular amount. The plea shall be decided strictly on merits in accordance with law. If the case is made out on merits the court may exercise its discretion and if no case is made out on merits the court shall reject the plea for regular bail or anticipatory bail as the case may be. However, in any circumstances the High Courts or trial courts shall not pass a conditional order of regular bail or anticipatory bail.'

11. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) BNSS which reads as under:-

“Direction for grant of bail to person apprehending arrest:

- 1. When any person has reason to believe that he may be 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.”*



12. As per the law settled by the Hon'ble Supreme Court, in ***Gurbaksh Singh Sibbia Vs. State of Punjab***, AIR 1980 SC 1632, while granting anticipatory bail, the Court is to maintain a balance between the individual liberty and the interest of society. However, the interest of the society would always prevail upon the right of personal liberty. The relevant part of the judgment is as follows:-

“31. *In regard to anticipatory bail, if the proposed accusation appears to stem not from motives of furthering the ends of justice but from some ulterior motive, the object being to injure and humiliate the applicant by having him arrested, a direction for the release of the applicant on bail in the event of his arrest would generally be made. On the other hand, if it appears likely, considering the antecedents of the applicant, that taking advantage of the order of anticipatory bail he will flee from justice, such an order would not be made. But the converse of these propositions is not necessarily true. That is to say, it cannot be laid down as an inexorable rule that anticipatory bail cannot be granted unless the proposed accusation appears to be actuated by mala fides; and, equally, that anticipatory bail must be granted if there is no fear that the applicant will abscond. There are several other considerations, too numerous to enumerate, the combined effect of which must weigh with the court while granting or rejecting anticipatory bail. The nature and seriousness of the proposed charges, the context of the events likely to lead to the making of the charges, a reasonable possibility of the applicant's presence not being secured at the trial, a reasonable apprehension that witnesses will be tampered*



with and "the larger interests of the public or the state" are some of the considerations which the court has to keep in mind while deciding an application for anticipatory bail. The relevance of these considerations was pointed out in State v. Captain Jagjit Singh (1962) 3 SCR 622, which, though, was a case under the old Section 498 which corresponds to the present Section 439 of the Code. It is of paramount consideration to remember that the freedom of the individual is as necessary for the survival of the society as it is for the egoistic purposes of the individual. A person seeking anticipatory bail is still a free man entitled to the presumption of innocence. He is willing to submit to restraints on his freedom, by the acceptance of conditions which the court may think fit to impose, in consideration of the assurance that if arrested, he shall be enlarged on bail."

13. The Hon'ble Supreme Court in ***State Vs. Anil Sharma, (1997) 7SCC 187***, held as under:-

“6. *We find force in the submission of the CBI that 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 a 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 offences would not conduct themselves as offenders.”

14. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioner has been prima facie found. Needless to say, the investigation is at threshold and in the facts and circumstances, custodial interrogation of the petitioner would be essential and granting anticipatory bail to the petitioner at this stage would scuttle the ongoing investigation.

15. In view of the overall facts and circumstances of the case, the petitioner does not qualify for the grant of anticipatory bail and the same is hereby dismissed. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

19.02.2026

<i>rittu</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No