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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

106

CRM-M-59555-2025

Date of decision: 23rd February, 2026

Jasmit Singh @ Jatinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Kumar, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

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. 74 dated 25.06.2024 registered under Sections 420, 467, 468, 471 and 120-B of IPC at Police Station Sujanpur, District Pathankot.

2. The aforementioned FIR was registered on the basis of a written complaint submitted by the complainant Baljeet Singh, alleging that he was interested to send his son to Australia on study visa. He came into contact with the petitioner, who represented to him that he would take the son of the complainant to Australia with a group of singers, where he would be provided a study visa for two years. On his asking, the complainant gave a cheque of

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Rs.2,00,000/- to the brother of the petitioner namely Jagmeet Singh (wrongly mentioned as Asmeet Singh). Thereafter, an amount of Rs.3,96,000/- was paid by the complainant to the petitioner through Google Pay in different transactions done during the period 16.08.2023 to 02.12.2023. He sent a fake visa on the *WhatsApp* of the complainant. He neither returned the amount of money taken by him from the complainant nor was the complainant's son sent abroad. After registration of the FIR, investigation proceedings were initiated and are underway. Apprehending his arrest, the petitioner moved an application for anticipatory bail, which was dismissed by the Court of the learned Additional Sessions Judge, Pathankot, vide order dated 06.10.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. It is submitted that there is no material to connect the petitioner with the commission of alleged offence. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. It is, thus, urged that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that there are serious and specific allegations against the petitioner who along with his brother duped the complainant of a sum of Rs.5,96,000/- on the false assurance of sending his son to Australia. The petitioner sent fake visa documents on *WhatsApp* of the complainant to lend authenticity to the fraudulent representation. His conduct *prima facie* establishes his participation in the offences of cheating and forgery in furtherance of common intention with the

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co-accused. For conducting a thorough and proper investigation, his custodial interrogation is must. It is, therefore, argued that the petition does not deserve to be allowed.

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

6. The petitioner in conspiracy with his brother, is alleged to have induced the complainant to pay an amount of Rs.5,96,000/- on the pretext of sending his son abroad. As per the inquiry/investigation conducted by the investigating agency, an amount of Rs.3,96,000/- was transferred to the account of the petitioner through Google Pay and a cheque for a sum of Rs.2,00,000/- was given by the complainant to the brother of the petitioner. The allegations *prima facie* show the involvement of the petitioner in the commission of the subject offences. Given the nature of the allegations, this Court is of the considered opinion that for the purpose of conducting a thorough and proper investigation, custodial interrogation of the petitioner is a must. In case his custodial interrogation is denied to the Investigating Agency, that will leave many glaring loopholes and gaps thereby adversely affecting the investigation. The powers under Section 482 of BNSS are to be exercised in extraordinary and sparing circumstances. The court is also required to see that an order of anticipatory bail does not operate as inroad in the normal legal procedure of criminal cases by the trial Court. The case is at its nascent stage. It is also well settled that the powers for grant of pre-arrest bail are to be exercised in extraordinary and sparing circumstances, whereas

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no such circumstance is shown to exist in the present case. Accordingly, finding no compelling ground to allow the petition, the same is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

23rd February, 2026
Parveen Sharma

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