



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.64025 of 2025
Date of decision: 05.02.2026

Jaspal Singh ... Petitioner

Vs.

State of Punjab and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Amit Dhawan, Advocate,
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab,
for the respondent-State.

Mr. Barjinder Singh, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
244	08.10.2025	Lopoke, District Amritsar Rural	318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

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2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of statement recorded by the complainant Surajpal Singh alleging that his marriage was solemnized with Ramandeep Kaur, daughter of the present petitioner on 07.01.2022. Ramandeep Kaur who had done IELTS had applied for issuance of visa to go to Canada. Though the complainant was also desirous to settle abroad and asked his wife to let him apply for visa as well but the present petitioner and other family members of his wife convinced him to let her apply for visa firstly by saying that she would sponsor him after reaching abroad. In November 2022, the petitioner along with his family members came to the complainant and pressed him to part with money by projecting that the same was to be immediately paid to the immigration agent. On their asking, the complainant got transferred an amount of Rs.7,25,000/- from the bank account of his father in favour of the petitioner. He was made to part with another amount of Rs.2,00,000/- by his wife's family members. His wife was called at her parent's home subsequently by the petitioner and his family members on some excuse and she went abroad from there only without even informing the complainant and thereafter she never called him. The complainant asked for return of his money. The petitioner executed a writing by way of compromise in favour of complainant thereby undertaking to return amount of Rs.10 lakhs but did not do so. By

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alleging that the petitioner and his family members by hatching a well planned conspiracy, had extracted money from him and had caused wrongful loss of the same by cheating him, he prayed for taking action in the matter. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Amritsar vide order dated 06.11.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. Infact, his daughter and the complainant were in relationship for a long time before their marriage which was performed against the wishes of the petitioner and his family members. After their marriage, the complainant and Ramandeep Kaur made several attempts to go abroad at their own. The complainant had himself spent about Rs.10 lakhs in these attempts but failed to get visa issued in his favour. It was on the insistence of the complainant that Ramandeep Kaur applied for student visa for United Kingdom. The complainant himself had promised to bear expenses for her visa and processing, so that he could join her after her settling abroad and had transferred an amount of Rs.7,75,000/- for that purpose. It was he who interacted with the agent and was fully aware of all the dealings and proceedings that took at the office of immigration agent. It was on

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account of refusal of UK visa that the complainant himself had encouraged his wife to apply for student visa for Canada. He had completely withdrawn from the process subsequently thereby compelling the petitioner to arrange for an amount of Rs.30 lakhs which was so arranged by him on obtaining study visa for travelling to Canada on 28.09.2023.

4. It is further argued that it was the complainant who started avoiding all contact and communication with his wife though she was willing to live with him. The petitioner paid an amount of Rs.8 lakhs towards the tuition fee of his daughter. No inducement whatsoever had been made by him to the complainant to part with money. It was under the pressure of the police that he was made to sign a compromise in favour of the complainant. The complainant himself was insisting for obtaining divorce from the daughter of the petitioner by extracting a sum of Rs.10 lakhs. His daughter had expressed willingness to stay with him and that is why compromise was never acted upon. His custodial interrogation is not required. He is ready to join the investigation. No recovery is to be effected from him. The dispute between the parties is of civil nature which has been given a criminal colour. The entire record is in the form of documentary transactions which are already in possession of investigating agency and for that purpose, the petitioner is not required to be detained. It is, therefore, argued that he deserves to be extended

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benefit of anticipatory bail.

5. Status report has been filed. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that the allegations make out a prima facie case for commission of offence punishable under Section 318(4) read with Section 61(2) of BNS as against the petitioner who in connivance with his daughter had made the complainant to part with a huge amount of money and sent his daughter abroad by alluring the complainant that he would also be sponsored by her without having any intent to do so. It is argued that for conducting thorough and proper investigation in the matter, the custodial interrogation of the petitioner is must. Hence, it is stressed that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have been connived with his daughter and other family members to make the complainant spent his money for the purpose of incurring expenses for sending his wife who is daughter of the petitioner to Canada by alluring him that he would also be sponsored by her. The petitioner has admitted that an amount of Rs.7,25,000/- and then Rs.50,000/- was deposited in his bank account by complainant's side and the stand taken is that the said amount of money was sent to the immigration agent for visa processes. The petitioner is alleged to have cheated the complainant. The details of the transaction of

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money that took place between them have already in possession of the investigating agency. The case is based on documentary evidence. Given the nature of the allegations as levelled against the petitioner, this Court is of the considered opinion that pre trial incarceration of the petitioner is not required. Even otherwise, the well settled proposition of law is that pre trial incarceration should not be a replica of post conviction sentencing. On going through the record, this Court is of the considered opinion that the petitioner has made out a case for extending benefit of anticipatory bail. Accordingly, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to his surrendering before the Investigating Officer/Arresting Officer within a period of ten days from the date of passing of this order and shall join investigation and on his surrender within that period, he shall be released on bail by the Investigating Officer/Arresting Officer on furnishing personal/surety bonds to its satisfaction and subject to the following conditions:-

- (i) The petitioner shall cooperate with the investigation and shall appear before the Investigating officer/Arresting officer as and when required.
- (ii) He 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/her from disclosing such facts

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to the Court or to any Police Officer.

(iii) He shall not commit any similar offence while on bail.

(iv) He shall not leave the country without prior permission of the Court.

(iv) He shall deposit his passport if any, with the jurisdictional Magistrate/trial Court.

8. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

9. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

05.02.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No