

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

110

2026.PHHC.043230



CRM-M-68445-2025 (O&M).
Date of decision: 19.03.2026.

KAJAL

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Ms. Anmol Thakur, Advocate, (Legal aid counsel)
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of pre-arrest bail to the petitioner in case bearing FIR No.51 dated 06.05.2024, under Section(s) 420 and 120-B of the Indian Penal Code, 1860, registered at Police Station Sujanpur, District Pathankot.

2 There is no representation on behalf of the petitioner(s). The position has remained the same on the last three dates as well. Further wait

is not considered justified, hence, the case is being examined on merits by nominating legal aid counsel. Accordingly, Ms. Anmol Thakur, Advocate, present in the Court, is appointed as a legal aid counsel to assist this Court on behalf of the petitioner.

3 A copy of the paper book has been shared with the legal aid counsel who has gone through the same.

4 Learned legal aid counsel appearing on behalf of the petitioner submits that the petitioner has been nominated as an accused on the basis of a complaint filed by one Manpreet Kaur. It is alleged in the said complaint that the complainant was defrauded to the tune of Rs.22,00,000/- by Jaskaran Singh, husband of the petitioner, along with the present petitioner, on the pretext of facilitating the travel of the complainant's son, Gurvinder Singh @ Harry, to the United States of America. It is further alleged that the petitioner, along with her husband, approached the complainant and assured that her son would be sent abroad. However, instead of being sent to the United States, Gurvinder Singh @ Harry was allegedly routed through multiple countries, namely Qatar, Serbia, Austria, and thereafter to Barcelona, (Spain). Learned counsel further submits that, as per the allegations contained in the complaint, a sum of Rs.6,55,000/- is stated to have been paid in cash to the present petitioner.

5 Legal aid counsel further contends that the allegations levelled against the petitioner are inherently improbable and lack credibility. It is submitted that the petitioner is a young woman aged about 26 years and is a housewife and there was no accusation or attribution against her. It is further contended that there is no specific allegation of any inducement,

misrepresentation, or assurance having been made by the petitioner to the complainant. The entire case of the prosecution, insofar as it relates to the petitioner, is vague and does not disclose any specific or overt act attributable to her but for accompanying her husband when he received money. She contends that as a matter of fact, a settlement had earlier been arrived at between the complainant and the husband of the petitioner, in which the petitioner was not even a party. There is no recital in the said settlement to indicate that the petitioner had participated in or was connected with the alleged transaction in any manner whatsoever. It is, thus, contended that the petitioner has been unnecessarily implicated in the present case solely with an intent to exert pressure upon her husband.

6 Counsel for the State, on the other hand, refers to the status reports and contends that the petitioner is alleged to have acted in collusion with her husband in inducing the complainant to part with an amount of Rs.22.87 lakhs for facilitating the travel of Gurvinder Singh @ Harry (wrongly mentioned as Inderjit Singh in the status report) abroad. It is further submitted that out of the aforesaid amount, only a sum of Rs.1.43 lakhs has been returned through Google Pay and the remaining amount continues to be unpaid. Learned State counsel thus submits that the allegations disclose active involvement of the petitioner in the commission of the offence as she accompanied her husband when payments were made. State counsel, however, does not dispute that despite registration of the present FIR on 06.05.2024, the petitioner has not been arrested so far.

7 I have heard the learned counsel appearing for the parties and have gone through the documents appended along with the present petition as well as the status report filed by the respondent.

8 It is evident that the allegations levelled against the petitioner are general and omnibus in nature and primarily to the effect that she had accompanied her husband. The status report filed by the respondent–State also does not specify or disclose as to whether the petitioner was, in fact, involved in any business or activity along with her husband Jaskaran Singh or not despite a specific case having been set up by her that she is a housewife and carrying on household work and is not involved in the business activities with her husband Jaskaran Singh. In the absence of any concrete material to the contrary, the attribution of involvement against the petitioner remains vague and unsubstantiated at this stage.

9 Taking into consideration that the petitioner is a young woman aged about 26 years and that her active participation in the commission of the alleged offence is debatable, her role appears, prima facie, to be limited and passive in nature and merely to the extent of having accompanied her husband, Jaskaran Singh, at the time of receipt of the alleged payment. In view of the above, the present petition is allowed.

10 The petitioner is directed to join investigation within a period of two weeks from today and thereafter as and when required by the Investigating Agency. In the event of petitioner joining investigation, she shall be admitted to bail by the arresting officer/investigating officer on furnishing of bail bonds to the satisfaction of the arresting

officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 482 of the BNSS, 2023.

11 However, in the event of petitioner not cooperating with the Investigating Officer, the State/Investigating officer shall be at liberty to move an appropriate application for seeking cancellation of the pre-arrest bail granted to the said petitioner.

12 The present petition stands allowed in above terms.

13 A copy of this order be also sent to the High Court Legal Services Committee for information.

March 19, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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