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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.70352 of 2025
Date of decision: 12.01.2026

Tarsem Singh ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Partap Singh, Advocate and
Mr. Manav Sharma, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

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
207	14.11.2025	Dirba, District Sangrur	420 and 120-B of IPC and 13 of Punjab Travel Professionals (Regulation) Act, 2014

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of a

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complaint submitted by the complainant Manjit Singh alleging that the petitioner along with the co-accused had allured him to send his son Harmanjot Singh to United Kingdom wherein his daughter Harman Kaur is already residing. The petitioner and the co-accused had made the complainant to part with a sum of Rs.33 lakhs on the same premise. However, neither his son was sent abroad nor the money received by the petitioner and co-accused had been returned to him and thereby wrongful loss of money with dishonest intention had been caused by the petitioner and the co-accused. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending his arrest, the petitioner moved an application for grant of pre arrest bail which has been dismissed by the Court of learned Additional Sessions Judge, Sangrur vide order dated 03.12.2025.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. No money was transferred in his bank account. The transactions which had allegedly taken place were upto February 2024. There is delay of more than 01 year and 08 months in lodging of the FIR which has not been explained. The ingredients for commission of aforementioned offences are not attracted against him since all the bank transactions were made in the bank accounts of the co-accused Amandeep Singh and Piara Singh and not in his bank account. He is ready to join investigation. His custodial interrogation is not

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required. No recovery is to be effected from him. It is, thus, argued that he deserves to be extended benefit of pre arrest bail.

4. Notice of motion.

5. Ms. Ruchika Sabherwal, Sr. DAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by her that there are serious and specific allegations against the petitioner who by conniving with the co-accused, had duped the complainant of a huge amount of money. For the purpose of conducting thorough and proper investigation in the matter as well as for recovery of the duped amount and passport of son of the complainant, custodial interrogation of the petitioner is required. No extraordinary and exceptional circumstance for grant of bail is made out in his favour. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner in connivance with the co-accused had caused wrongful loss to the extent of approximately Rs.33 lakhs to the complainant by alluring him in the name of sending his son abroad. There are specific allegations against the petitioner. No transaction of money might have taken place in the bank account of the petitioner but on that basis alone, he cannot be considered to be innocent. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is well settled proposition of law

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that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of his influencing the course of investigation and also of tampering with the evidence, no

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ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

12.01.2026
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(MANISHA BATRA)
JUDGE

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