

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2026:PHHC:030765



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CRM-M-73052-2025 (O&M)
Date of decision:25.02.2026

Mandeep Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Raman Mohinder Sharma, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Sonu Chahal, Advocate for the complainant.

...

Manisha Batra, J. (Oral).

1. 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 arising out of FIR No.141, dated 13.07.2023, registered under Sections 420 and 406 IPC (offence under Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 was deleted lateron), at Police Station Sultanpur, District Kapurthala.

2. The aforementioned FIR has been lodged against the petitioner and her husband Sakattar Singh on the allegations that they had induced the complainant to send his son to USA on work permit and had made him to part with a sum of Rs.24 lakhs. His son was, however, sent to Europe and

then was taken to the jungles of Maxico in May, 2019 and was taken to USA through *dunki* route. He was kept in jail for three months by the US Government and was deported to India. The petitioner and her husband did not return the money as extracted from the complainant and hence the complainant prayed for taking action in the matter.

3. After registration of the FIR, investigation proceedings have been initiated and are underway. Apprehending her arrest, the petitioner moved an application for grant of anticipatory bail, which has been dismissed by the Court of learned Sessions Judge, Kapurthala vide order dated 16.12.2025.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. The son of the complainant had come back to India in the year 2019. However, the FIR has been lodged after a gap of more than 03 years, for which no explanation has come forward. Infact, the son of the complainant was got issued a tourist visa. Her husband being a travel agent had given tour package for a sum of Rs.1,20,000/-, which included air tickets and hotel bookings also. Son of the complainant had sworn an affidavit that he will not go to any other country and would come back to India from Greece but he at his own, had gone to some other place. Kulwinder Kaur, real sister of Sakattar Singh had filed a complaint under Section 138 of the Negotiable Instruments Act against one Mandeep Singh, who is the close friend of the complainant and it is at the behest of Mandeep Singh that the petitioner and her husband have been falsely implicated in this case. She has been residing with her husband in Canada since long. She is ready to join the investigation. Her custodial interrogation is not required.

No recovery is to be effected from her. It is, therefore, argued that the petition deserves to be allowed.

5. Per contra, learned State counsel has vehemently argued that there are serious and specific allegations against the petitioner. Lookout circular has been issued against her. She is involved in two more cases of similar nature. She along with her husband had duped the complainant of a huge amount of money. Her custodial interrogation is must for conducting thorough and proper investigation in the matter. It is, therefore, stressed that this petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties.

7. The petitioner along with her husband is alleged to have caused wrongful loss to the tune of Rs.24 lakhs to the complainant by inducing him to give the same on the premise of sending his son abroad. As per the allegations, on the asking of the petitioner and her husband, part of the aforementioned amount of money had been deposited by the complainant in different bank accounts. For the purpose of conducting thorough and proper investigation in the matter, her custodial interrogation is must. The case is at its nascent stage. It is well settled proposition of law that powers for grant of anticipatory bail should be exercised in exceptional and extraordinary circumstances and not in routine manner. No such circumstance, however, has been made out in this case. If the petitioner is given the shield of anticipatory bail that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. Accordingly, finding no compelling ground to allow the petition, 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.
9. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

25.02.2026

(MANISHA BATRA)
JUDGE

harjeet

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