



CRM-M-37209-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-37209-2025

Date of decision:18.07.2025

Baldeep Rani

...Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Jagraj Singh Khiva, Advocate for the petitioner.

Mr. Jatinder Pal Singh, Sr. DAG Punjab.

SUMEET GOEL, J.

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner in case bearing FIR No.54 dated 05.04.2025, registered for the offences punishable under Sections 318(4) of BNS, 2023 (Equivalent to Section 420 of Indian Penal Code, 1860) and in DDR No.27 dated 23.06.2025 registered at Police Station City Budhlada, District Mansa.

2. The gravamen of the FIR in question reflects that the complainant, who is a van driver at Akal Academy, village Chakk Bhaike, stated that his 24-year-old son, Jagdeep Singh, after completing his B.A. and clearing the P.E.T. exam, attempted to go abroad but his UK visa was rejected. Subsequently, he applied for a visitor visa to Canada, which led the complainant into constant stress. It was further alleged by the complainant that a teacher at the Academy namely Baldeep Rani (petitioner herein) was aware of his concerns, offered help through her husband, claiming he could



facilitate migration of the Jagdeep Singh (son of the complainant) to the USA through agents for a sum of Rs.42.00 lacs. However, on 16/17.07.2024, the complainant, along with his son and friend namely Nirmal Singh, visited her house in Village Ahmadpur, where the arrangement was discussed. On 21.07.2024, the son of the complainant namely Jagdeep Singh was sent to Dubai after receiving a flight ticket from one Deepak (UAE contact). Upon arrival, he was instructed to hand over Rs.5.00 lacs (in dollars) to an agent. On 24.07.2024, the complainant deposited Rs.2.00 lacs in the account of Baldeep Rani for the shortfall. However, on 8.08.2024, further Rs.16.00 lacs was demanded. The complainant paid this amount on 10.08.2024 at the house of the petitioner namely Baldeep Rani. Despite the payment, the son of the complainant namely Jagdeep Singh was routed through several countries — Dubai to Suriname, then through Guyana, Brazil, Bolivia, Peru, Ecuador, and Colombia. He was held in poor conditions for weeks and moved across jungle routes in Panama, eventually detained by authorities, beaten, and jailed. Furthermore, he was deported to India on 20.11.2024, suffering mental and physical trauma. The complainant alleges that the petitioner, her husband Ranjit Singh, and their agents deceived him with false promises of legal travel to the USA and subjected his son to life-threatening illegal migration. They extorted a total of Rs.42.00 lacs under the false pretenses. On these set of allegations, instant FIR was registered against the accused for fraud, criminal conspiracy, and endangering the life of son of the complainant.

3. Learned counsel for the petitioner has iterated that the petitioner is an innocent woman who has been falsely implicated in the FIR in



question. Learned counsel has further iterated that no offence is made out against the petitioner as she was not even named as an accused in the original FIR. A bare perusal of the allegations and the inquiry conducted by the DSP, Mansa clearly establishes that the complainant dealt directly with one agent namely Deepak Gujjar and made payments to him. According to learned counsel, the petitioner merely introduced the complainant to the said agent at his insistence. Learned counsel further asserts that the petitioner is a household lady, employed as a private teacher at Akal Academy to support her family, as her husband remains confined in a USA illegal entry attempt. According to learned counsel, the petitioner has no criminal antecedents and no recovery is to be effected from her. Moreover, the custodial interrogation should not be used as a punitive measure and is justified only when absolutely necessary for the recovery of material evidence. Furthermore, the petitioner is ready to join the investigation and hence no useful purpose would be served by sending her behind the bars. It is lastly submitted by the learned counsel that the present petition be allowed and the petitioner be granted the concession of the anticipatory bail.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the offence committed by the petitioner is serious in nature. According to learned State counsel, the allegations levelled against the petitioner are of a grave and serious nature, involving a well orchestrated fraud amounting to Rs.42.00 lacs wherein the complainant and his son were deceived under the false pretext of securing legal migration to the United States. It was further contended that the magnitude of the offence reflects not only a blatant abuse of trust but also a



calculated exploitation of the vulnerability and aspirations of the complainant. According to learned State counsel, the offence committed by the petitioner caused substantial financial and emotional distress to the victim and his family. Considering the seriousness of the allegations, the custodial interrogation of the petitioner may be necessary to unearth the broader conspiracy, identify co-accused and recover the ill-gotten money. Granting bail at this stage may set a wrong precedent in cases involving human trafficking and immigration fraud. Furthermore, in case the petitioner is granted the concession of pre-arrest, at this stage, it may impede the ongoing investigation, obstruct recovery and adversely effect the efforts to apprehend the remaining co-accused.

5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. As per the version put forth by the complainant namely Harbans Singh, it emerges that his son namely Jagdeep Singh, after completing his graduation and clearing the PET examination, was seeking opportunities to go abroad. After his visa applications for the UK and Canada were unsuccessful, the complainant met one Baldeep Rani (petitioner herein), a teacher at Akal Academy where the complainant worked as a van driver, who offered to facilitate the migration of his son to the USA through her husband for a sum of ₹42.00 lacs. Believing her assurances, the complainant paid various sums in cash and bank transfers between July and August 2024, totaling to ₹42.00 lacs. However, the son of the complainant was sent to Dubai and, thereafter,



routed through several countries under perilous conditions. Eventually, the son of the complainant was detained in Panama whereafter he was deported to India on 20.11.2024. The complainant alleged that he was defrauded by the petitioner and her husband under the false pretext of arranging legal travel to the USA.

6.1. The offence in question does not merely involve financial deceit but strikes at the very fabric of social trust, involving elements of human trafficking and cross-border immigration fraud, which are not only grave in nature but also have far-reaching consequences on public order. Cases of this nature, where vulnerable individuals are lured with false promises of lawful migration and are subsequently subjected to exploitation, fall within the ambit of organized human trafficking and merit strict judicial scrutiny and deterrence. Human trafficking under the garb of immigration consultancy is a growing menace which preys upon the desperation and dreams of unsuspecting citizens. The Courts must remain vigilant and ensure that such rackets are not emboldened by leniency at the pre-trial stage. The fraudulent inducement for illegal migration, followed by subjecting individuals to inhumane and life-threatening conditions abroad, not only reflects criminal intent but also constitutes a serious affront to human dignity and national interest. The Court cannot overlook the broader public interest involved in cases of immigration fraud, especially when they border on transnational human trafficking. Such offences necessitate a strong and principled judicial response to prevent their recurrence.

6.2. A perusal of the FIR reveals that the allegations against the petitioner are grave and serious in nature who defrauded the complainant of



a substantial amount under the false pretext of facilitating the legal migration of his son to the United States through agents. Such offences strike at the core of public trust and reflect a disturbing trend prevalent in this region, where unscrupulous individuals posing as travel facilitators exploit the aspirations of innocent citizens seeking opportunities abroad. These fraudulent activities not only cause severe financial and emotional distress but also undermine the integrity of lawful immigration systems. Therefore, individuals involved in such organized deceit must be dealt with firmly and in accordance with the law, leaving no room for leniency.

6.3. Furthermore, the investigating agency has sought the custodial interrogation of the petitioner for effective recovery, verification of facts, and to establish the broader conspiracy, if any, behind the occurrence. No cause *may* plausible cause has been shown, at this stage, from which it can be deciphered that the petitioner has been falsely implicated into the present FIR. It goes without saying that in the instant case, the complainant has categorically stated that the petitioner along with co-accused had defrauded the complainant of a substantial amount i.e. ₹42,00,000/- under the false pretext of facilitating the legal migration of his son to the United States through agents which caused severe financial and emotional distress.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It is imperative that



every person in the Society can expect an atmosphere free from foreboding & fear of any transgression. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be established a reasonable basis for the accusations. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In ***State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039***, the Hon'ble Supreme Court held as under : (SCC p. 189, para 6)

“6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”

8. In view of the gravity of the allegations, the specific role attributed to the petitioner and the necessity of custodial interrogation for a fair and thorough investigation, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual matrix of the case in hand. Moreover, custodial interrogation of the



petitioner is necessary for an effective investigation & to unravel the truth.

The petition is, thus, devoid of merits and is hereby dismissed.

9. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.

10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

July 18, 2025

Ajay

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No