

2025:PHHC:102416



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

105

**CRM-M No.42839 of 2025
Date of decision: 07.08.2025**

Imran Khan

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Sukhmeet Singh, Advocate,
for the petitioner.

Ms. Ramta Chowdhary, 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
40	11.04.2025	Meharban, District Police Commissionerate Ludhiana	318(4) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (For short "BNS")

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of

2025:PHHC:102416



complaint submitted by the complainant Bhagwant Singh alleging that the petitioner who was running an immigration office in the name of Effrox Consultancy. He had told the complainant that he used to send youths to Romania on work permit. He allured him by showing that he could get visa and work permit for two years for the complainant if he gave a sum of Rs2,80,000/-. He also induced the complainant to talk to his friends and relatives and to convince them to go to Romania. The complainant discussed with his acquaintances and relatives who were interested to go abroad. All of them had gone to the petitioner who took a sum of Rs.4,000/- from each person for conducting their medical examination. Thereafter, he demanded a sum of Rs.80,000/- from each of them in the name of issuance of work permit. Accused Mohd. Shahid father of the present petitioner collected a sum of Rs.5,50,000/- from all of them after visiting Ludhiana and this fact was video recorded. The petitioner had also taken bank drafts from three companions of the complainant and some of them had made online payments to the petitioner which was about Rs.6 lakhs in toto. After taking an amount of Rs.11,50,000/- from them, the petitioner did not send them abroad and kept on lingering in the matter. When the complainant and other victims demanded their money, he rather started extending threats to them. While alleging that he was trying to flee from the country, the complainant prayed for taking action.

2025:PHHC:102416



3. 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 , Ludhiana vide order dated 07.07.2025.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. He is not beneficiary of any amount of money. It is, therefore, urged that the petition deserves to be allowed.

5. Notice of motion.

6. Ms. Ramta Chowdhary, 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 had induced the complainant and other victims to part with a sum of Rs.11,50,000/- on the pretext of sending them to Romania on work permit with dishonest intention to cheat them and to usurp their money. For conducting thorough investigation, the custodial interrogation of the petitioner is must. It is, therefore, urged that the petition does not deserve to be allowed.

7. This Court has considered the rival submissions.

8. The petitioner by hatching conspiracy with the co-accused is

2025:PHHC:102416



alleged to have duped the complainant and other victims of a sum of Rs.11,50,000/-. The case is at its nascent stage. For conducting thorough investigation and for eliciting information about the manner in which the offence of cheating had been committed by the petitioner, his custodial interrogation is required. The powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

(MANISHA BATRA)
JUDGE

07.08.2025

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No