



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

207

CRM-M-41867-2025 (O&M)

Date of decision: 11.09.2025

Nishan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Arun Kumar Goyat, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Suneet Pal Singh Aulakh, Advocate,
for respondent No.2/complainant.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner in FIR No. 21 dated 05.10.2024, registered under Sections 406, 420 IPC, at Police Station NRI, District Bathinda.

2. The aforementioned FIR was registered on the basis of a complaint lodged by complainant Jasjeet Kaur Sandhu, Secretary of Sangha Education Society (for short "Society") alleging that her brother Manmeet Singh Sandhu, who was settled in Canada, was Chairman of the Society which was running a school and a college. The petitioner, who was Treasurer of the Society used to look after the financial matters. After outbreak of pandemic of Covid, her brother was unable to visit India and,

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therefore, the financial details of the Society were taken by him from the petitioner through WhatsApp / phone. Since the petitioner started avoiding giving all the details to her brother, therefore, they came to India in July, 2024 and were shocked to know that Karamjit Kaur, wife of the petitioner had started dealing with financial transactions pertaining to the Society without the knowledge and consent of the Chairman and other Members. The petitioner as well as his wife kept on putting of giving financial details and documents to the family of the complainant. On checking the record of the School and College, the complainant came to know that the petitioner had passed a resolution and had got himself declared a Director and had filed affidavit for operating Bank accounts of the Society. Not even this, he had availed loan on the buses of the Society, had transferred funds from its Bank accounts to the personal accounts of his wife and himself and had even forced the parents of the students studying in School and College of the Society to deposit fees in the personal bank account of his wife. They had even made planning to flee away to some other country and had got a Visa issued for their son for Canada. When the petitioner and his wife were called upon to settle the accounts, they started extending threats. By alleging that the petitioner and his wife had duped the Society of huge amount of money and had cheated it, the complainant prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. 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, Bathinda vide order dated 29.10.2024.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. He was 10% stakeholder in the College and stakeholder to the extent of 20% in the School run by the Society. Being Treasurer of the Society, he was signatory to the Bank account thereof. He had not received any money from the account of the Society in his account except two payments as made on 24.01.2017. No embezzlement had been done by him. Bald and frivolous allegations have been levelled against him, without there being any material to show that he had caused any wrongful loss to the Society or to the complainant or had duped it of any amount of money. The dispute between the parties is of civil nature. It is a case of documentary evidence. The entire record that which includes receipts of financial transactions is available and the petitioner is ready to hand over the same and to cooperate with the investigation. His custodial interrogation is not required. No recovery is to be effected from him. He is ready to join the investigation. The subject offences are triable by Magistrate. It is, therefore, urged that he deserves to be extended benefit of pre-arrest bail.

5. Status report has been filed by the respondent-State. Learned State counsel has argued that there are specific allegations against the petitioner, who in connivance with his wife had transferred money from the bank account of the Society and had also duped the Society of huge amount of money and had caused wrongful loss to it. Custodial interrogation of petitioner is required for conducting thorough and proper investigation in the matter. No exceptional or extraordinary circumstance for grant of pre-



arrest bail is made out in his favour. It is, therefore, urged that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner along with his wife, is alleged to have caused wrongful loss to the Society by duping it a sum of Rs. 40,00,000/- and by withdrawing money from the account of the Society without knowledge and permission of other Members as well as the Chairman. The case is at its nascent stage. For conducting thorough and deeper probe into the matter, custodial interrogation of the petitioner is must. It is well settled proposition of law that 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 powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. No exceptional or extraordinary circumstance for grant of pre-arrest bail is made out in his favour, 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.

11.09.2025

Satyawan

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No