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

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**CRM-M No.28944 of 2025
Date of decision: 08.10.2025**

Kiranpal Kaur ... Petitioner
Vs.
State of Punjab and another ... Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Anureet Singh Sidhu, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Abnash Singh, Advocate,
for the complainant (through Video Conferencing).

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
0019	05.02.2025	Sadar Patiala, District Patiala	406 and 420 of IPC and 13 of Punjab Travel Professionals (Regulation) Act, 2014

2. Brief facts relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the basis of a complaint lodged by the complainant Sonia alleging that she was

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interested to send her son Prince abroad. She came into contact with accused Vijay Kumar who had induced her to give a sum of Rs.2,50,000/- on the premise that he would get issued a work visa for Armenia for her son where he would be given job in food packaging with salary of Rs.50,000/- to Rs.60,000/- per month. He has instructed the complainant to meet his sister i.e. the present petitioner Kiranpal Kaur and to give money to her. The complainant had then met the petitioner and had given passport of her son and copies of documents. An amount of Rs.1 lakh had been transferred in the account of the petitioner whereas an amount of Rs.50,000/- was transferred through Google Pay in the account of one Rajni on the asking of the petitioner and the co-accused. Another sum of Rs.50,000/- was taken when the son of the complainant went to Armenia on tourist visa. He was kept confined by the accused Vijay Kumar in Armenia without providing any work and was then sent back when his visa was going to expire. Complainant was made to part with a sum of Rs.2,70,000/- in toto. When she demanded her money back, she was threatened by the petitioner and the co-accused. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending her arrest, the petitioner moved an application for grant of pre arrest bail which had been dismissed by the Court of learned Additional Sessions Judge, Patiala vide order dated 12.05.2025.

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3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. The ingredients for commission of offences punishable under Sections 406 and 420 of IPC are not attracted against her at all. Both these offences are even otherwise antithesis to each other. Whatever money was transferred in her bank account was given to her brother. The son of the complainant had gone to Armenia and it was as per on her desire that he had come back. She is ready to join the investigation. Her custodial interrogation is not required. Neither any recovery is to be effected from her. It is, therefore, urged that she deserves to be extended benefit of anticipatory bail.

4. Per contra, learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that there are specific allegations against the petitioner. An amount of Rs.1 lakh out of total amount of Rs.2.70 lakhs had been transferred in the bank account of the petitioner. She along with the co-accused had promised the complainant to get tourist visa of her son issued for Armenia and to get work visa for him by inducing her and with intent to cheat her. The money so transferred by the complainant in her bank account is to be recovered. Her custodial interrogation is must for that purpose. With these broad submissions, it is urged that the petitioner does not deserve to be extended benefit of pre arrest bail.

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5. This Court has considered the rival submissions.

6. The petitioner in connivance with the co-accused is alleged to have induced the complainant to part with a sum of Rs.2.70 lakhs on the premise of sending her son to Armenia and to provide work visa for him. He was, however, not provided so though he was sent to Armenia on tourist visa. The petitioner has not denied that an amount of Rs.1 lakh had been transferred in her bank account and this shows her complicity in the crime. The plea that this amount had given by her to her brother i.e. the co-accused Vijay Kumar, is not substantiated at this stage by any documentary evidence. The case is at its nascent stage. For conducting proper and thorough investigation in the matter, the custodial interrogation of the petitioner is must. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the investigation. 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. Even otherwise, no extraordinary or exceptional circumstance for grant of pre arrest bail is made out in favour of the petitioner. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

7. It is, however, clarified that observations made hereinabove

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shall not be construed as an expression of opinion on the merits of the case.

08.10.2025

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(MANISHA BATRA)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No