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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(106-2)

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Date of decision: 25.03.2026

Charanjit Kaur

..... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Vaibhav Narang, Advocate,
And Mr. Naveen Mahajan, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of BNSS, 2023 is for the grant of anticipatory bail to the petitioner in case FIR No.84 dated 17.10.2025 under Sections 143(2), 318(4), 61(2) BNS, 2023 registered at Police Station Harike, District Tarn Taran.

2. The present FIR came to be registered at the instance of Harjinder Singh and reads as under:-

Statement of the complainant Harjinder Singh, son of Gurcharan Singh, resident of village Ratta Gudda, Tehsil Patti, District Tarn Taran, aged about 49 years, mobile number 94646-26448, stated that I am a resident of the above-mentioned address. I have two children my elder daughter Navdeep Kaur, who is residing abroad in Australia, and my

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younger son Robinpreet Singh, aged about 22 years, he wanted to go abroad to Australia. Rajwant Singh alias Raja, son of Ajit Singh, resident of village Lohka, Tehsil Patti, District Tarn Taran, who is related to Balvir Singh of my village and often visits his relatives here, and since the said Balvir Singh is known to me as well, I came to know Rajwant Singh allas Raja through him. In the month of September 2025, Rajwant Singh alias Raja came to his relatives' house, and during a conversation, I told him that I wanted to send my son abroad to Australia. On this, Rajwant Singh said that he, along with his wife, had applied to go abroad through a travel agent named Charanjit Kaur, wife of Gurdeep Singh, resident of Colony Baba Basta Singh, opposite Gurdwara Takkar Sahib, Tarn Taran, who runs a travel agency under the name BDS Visa and Education Service at Jandiala Road, Tarn Taran. He said that he had already filed his documents with her and that he could also get my son's file processed through the same agent Charanjit Kaur for going abroad to Australia and that he took full responsibility for it. On repeated persuasion and assurance from Rajwant Singh allas Raja, I was convinced by him. Through WhatsApp on his phone, he connected me with the said agent, who told me that she would send my son directly to Australia through a flight and that the total cost would be ₹27,75,000/-. On her repeated assurances, I was convinced by her as well. She told me that she would take the money only after my son reached abroad and that I would have to pay only ₹25,000 in advance for the ticket, and that I should hand over my son's original passport to Rajwant Singh. Accordingly, I gave my son's original passport to Rajwant Singh at that very time, and my son also sent his passport, PAN card, and Aadhaar card to the said travel agent via WhatsApp. Subsequently, from

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time to time, I remained in contact with the travel agent Charanjit Kaur through WhatsApp. On her instructions, on 02.10.2025, my son Robinpreet Singh transferred ₹25,000 through Google Pay from his HDFC Bank Account No. 50100440597409 to the said Charanjit Kaur's agency account with ICICI Bank, as per the scanner sent by her. She told us that my son's flight was scheduled for 03.10.2025 at 10:00 AM from Amritsar Airport and that we should reach the airport at 8:00 AM carrying his original passport, Aadhaar card, and PAN card. She also said that while leaving for the airport, I should collect the visa, ticket, and passport from her office. Accordingly, on 03.10.2025, at about 6:00 AM, I, along with my nephew Gurpratap Singh (son of my brother Jagtar Singh) and my son Robinpreet Singh, left home for the airport. On the way, we collected the visa, tickets, and original passport from Charanjit Kaur's BDS office. She gave me two tickets in my son's name-one from Amritsar to Delhi and another from Delhi to Kolkata. Charanjit Kaur told me that she took full responsibility for sending my son abroad to Australia, but that she could not send him on a direct flight; instead, she would send him through connecting flights with stopovers. I told her that our agreement was for a direct flight, but she said not to worry as the entire responsibility was hers. We reached the airport, and at about 8:00 AM, my son boarded the flight. From time to time, my son called me and informed me that he had reached Delhi and later Kolkata. On 04.10.2025, at around 4:55 AM, my son sent me a photo from Dubai Airport via WhatsApp. During that time, he informed me that he had a two-hour layover there and that his next flight to Tehran was scheduled soon. The same day, around 5:00 PM, a WhatsApp call was received from mobile number +989228505982 on my

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nephew Gurpratap Singh's phone number 97797-15370. The caller spoke in Punjabi, said his name was Baba, and started abusing us. He said, "Your brother is in my custody, and demanded ₹50 lakhs if we wanted to save his life. He also played an audio clip in which I could hear my son crying and pleading, saying, "Give them the money, or they will kill me." Thereafter, the said number kept making WhatsApp calls repeatedly to my nephew. My family and I were terrified and didn't know what to do. Later, the caller again contacted us and said that he was sending someone to collect the ₹50 lakhs and that if we failed to pay, my son would be killed. Finally, we negotiated with him, and the deal was settled for ₹12 lakhs for the safe return of my son. He instructed us to bring the money to Harike, saying his man would come to collect it. When we reached Harike, the caller again contacted us and told us to come under the Buha bridge. When we reached there, a white Swift car arrived, carrying one man and one woman. When I asked their names and addresses, they refused to disclose them and demanded the money. I handed over ₹12 lakhs in cash to the man and the woman, who then made me speak to the earlier caller on a foreign number via their phone. The woman said, "Your payment has been received. I will send your son back to Amritsar within 4 hours by flight. "I and my family members then went to Amritsar Airport and waited for my son, but he did not arrive even late at night. When we tried to contact the caller again, his phone was switched off. Terrified and anxious, we returned home. On 05.10.2025, around 12:00 PM, a WhatsApp call was received on my nephew Gurpratap's phone from foreign number +33753244577. The caller identified himself as "Tiger" and started abusing us, saying that my son Robinpreet Singh was in his custody and demanded ₹30 lakhs to save his

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life. I and my nephew told him that we had earlier received a call from number +989228505982 from a person named Baba, on whose instructions we had already given ₹12 lakhs to a man and woman. The caller got angry, started abusing us, and during a video call, showed me a video of my son being beaten. Terrified, I negotiated with him again for my son's life, and a deal of ₹12 lakhs was agreed upon. He told me to bring the money to Tarn Taran at 7:00 PM, and that his men would collect it from me after his call. On 06.10.2025, myself, my nephew Gurpratap Singh, and my brother Jagtar Singh's brother-in-law Ranjit Singh reached Tarn Taran around 7:00 PM and waited for his call. Around 9:30 PM, Tiger called and gave us a number 96670-84063, asking us to contact It. My nephew called that number, but it was switched off. Then he made a WhatsApp call on that number, and a girl answered, saying, "Come to Seven Star Hotel, Tarn Taran." When we reached outside the hotel, a car marked "Honda. Amaze" bearing registration number PB-02-DP-1308 arrived, and two girls stepped out. They asked if we were relatives of Robinpreet Singh, and I said I am his father. Both girls then took us inside the hotel. On my asking, one introduced herself as Kritika, resident of Fatehpur, near Jail, Jhabal Road, Amritsar, mobile number 96670-84063, and the other as Baljeet Kaur, daughter of Amrik Singh, resident of House No. 105, Sultanwind Road, Amritsar, mobile number 62808-48569. During the conversation, we also took a photograph of the two women inside the hotel, which I am submitting to you. After having tea, both women came out of the hotel and sat in our car a Sunny car bearing registration HR-26-BR-5532 and received ₹12 lakhs from me in cash. Thereafter, Baljeet Kaur made me speak with Tiger via WhatsApp, who said, "Your payment has been

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received; your son will reach Amritsar Airport by morning." We then returned home. On 07.10.2025, around 12:00 PM, a WhatsApp call came from Kritika's mobile number 96670-84063, saying that she needed ₹25,000 to book my son's ticket and that after doing so, she would inform me of his arrival time at Amritsar Airport. I sent ₹25,000 through my acquaintance Manjeet Singh to the scanner sent by Kritika. After that, both Kritika and Baljeet Kaur's phones were switched off. Thereafter, calls kept coming from Tiger and Baba through WhatsApp from numbers +989228505982 and +33753244577 at different dates and times, threatening to kill my son and demanding ₹50 lakhs as ransom. From number +1(218)772-8635, a video clip showing my son stripped naked and beaten, and an audio clip of him crying, were also sent to me. I am submitting these as evidence in a pen drive. Till now, they have been demanding ₹50 lakhs as ransom. Rajwant Singh alias Raja, son of Ajit Singh, resident of village Lohka, Tehsil Patti, District Tarn Taran; Charanjit Kaur, wife of Gurdeep Singh, resident of Colony Baba Basta Singh, opposite Gurdwara Takkar Sahib, Tarn Taran; Kritika, resident of Fatehpur near Jail, Jhabal Road, Amritsar; Baljeet Kaur, daughter of Amrik Singh, resident of House No. 105, Sultanwind Road, New Azad Nagar, Amritsar; foreign persons "Tiger" and "Baba"; and one unidentified man and woman, all in connivance with each other, deceitfully lured my son Robinpreet Singh on the pretext of sending him abroad through a direct flight, abducted him for ransom, assaulted him, gave threats to kill him, and even after extorting large amounts of money from me, have not yet sent my son back. I have come to know that the said Charanjit Kaur, owner of BDS Visa and Education Service, does not even possess a valid travel agency licence. Therefore, necessary

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legal action should be taken against all the above-named persons. Statement recorded, read over, and found correct. Sd/- Harjinder Singh.

3. The learned counsel for the petitioner contends that the petitioner who is a lady has been falsely implicated in the present case. She is not involved in kidnapping or extortion. In fact, the petitioner herself filed a separate complaint against Kritika who was acting upon the instructions of the actual kidnapers/extortionist. She has also provided all details of Kritika etc. to the police. As the petitioner is ready and willing to join investigation, she is entitled to the concession of anticipatory bail.

4. The learned counsel for the State, on the other hand, has filed a status report dated 07.12.2025 which is taken on record. While referring to the said report, he contends that the petitioner had undertaken to send the son of the complainant abroad on receipt of Rs.27,75,000/-. In spite of the complainant's son being sent abroad, he was kidnapped and held hostage by unknown criminals who were in connivance with the petitioner. Two instalments of Rs.12,00,000/- each (total a sum of Rs.24,00,000/-) were paid by the complainant for the release of his son. In spite of the said payment, the son of the complainant was not released. Moreover, on the instructions of the petitioner, the son of the complainant, namely, Robinpreet Singh has transferred Rs.7,25,000/- through Google Pay from his HDFC Bank Account No.50100440597409 to the petitioner-Charanjit Kaur's agency account with ICICI Bank. As the offence is *prima facie* established



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and the investigation has to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly required. Therefore, she is not entitled to the concession of anticipatory bail.

5. I have heard the learned counsel for the parties.

6. The Hon'ble Supreme Court in the case of '**Sumitha Pradeep Vs. Arun Kumar C.K. & Anr. 2022(4) RCR (Criminal) 977**', has held that merely because custodial interrogation was not required by itself could not be a ground to grant anticipatory bail. The first and the foremost thing the Court hearing the anticipatory bail application is to consider is the *prima facie* case against the accused. The relevant extract of the judgment is reproduced hereinbelow:-

"It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like POCSO and, therefore, the order passed



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by the High Court granting anticipatory bail to the accused should be quashed and set aside. In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline custodial interrogation. However, even if custodial interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail.”

7. A perusal of the FIR would reveal that not only has the petitioner received a huge amount of money with the promise to send the son of the complainant abroad but the son of the complainant was kidnapped and threatened with his life if a sum of Rs.50,00,000/- was not paid to them by the parents. In consequent thereof, Rs.24,00,000/- has been paid by the

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complainant to the kidnappers for the release of his son. All this has happened in connivance with the petitioner. As the offence is *prima facie* established and the investigation is to be taken to its logical conclusion, the custodial interrogation of the petitioner is certainly necessary. Therefore, she is not entitled to the grant of anticipatory bail.

8. In view of the above discussion, I find no merit in the present petition and the same stands dismissed.

9. However, it is made clear that the observations made in this order are only for the purpose of deciding this bail application and the Trial Court is free to adjudicate upon the matter on the basis of the evidence led before it uninfluenced by any such observations made.

10. The pending application(s), if any, shall stand disposed of accordingly.

March 25, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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