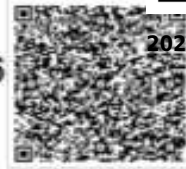




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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(207)

CRM-M-24327-2026 (O & M)
Reserved on : 14.05.2026
Date of Pronouncement:15.05.2026
Date of Uploading:15.05.2026

Paster Bawa Bhatti @ Jassu Dass

..... Petitioner

V/s

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Suvir Sidhu, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

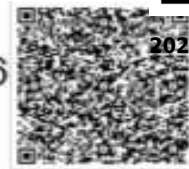
JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 482 of BNSS, 2023 (Section 438 Cr.P.C.) is for the grant of anticipatory bail to the petitioner in case FIR No.11 dated 13.01.2026 under Sections 316, 214, 61 of the BNS, 2023 (Erstwhile Sections 405, 403 of IPC, 1860) and Section 13 of the Punjab Travel Professional Regulation Act, registered at Police Station Raja Sansi, District Amritsar Rural.

2. The present FIR came to be registered on the basis of an application which reads as under:-



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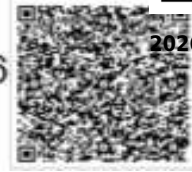
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*Application No. 697-AP Date 4.8.2025 To, SSP, Amritsar Rural
|Subject: Paster Bawa Bhatti (Mo. 76968-61548, his wife
Raman Bawa B'tl 70872-61548) Bawa Bawa
ministries@bawabawaministries1850 (161 subscribers 57
videos) Application to get justice for filing a case against for
cheating my wife of about Rs.22,00,000 on the pretext of
applying for a work permit visa to the UK and then to Canada
and for giving justice to me. Note: I will submit all the evidence
related to this application to the investigating officer. Sir, it is
requested that I am Johnson Massey (Aadhaar Card No. 7368
3540-1079) son of Nazar Massey, resident of Ward No. 3, Dr.
Ashar Singh Wali, Raja Sansi, Amritsar-143001. I belong to the
Christian religion. I was in contact with Pastor Bawa Bhatti
(Mob.76968-61548,70872-61548) of Bawa Bawa ministries
@bawabawaministries 1850 (161 subscribers 57 videos) of the
Christian religion in November 2023 through social media and
phone, who runs a church in his house near Chetan Hall,
Ferozepur Cantt, District Ferozepur. That being the same
religion and the same Pastor, I kept talking to him for 2-3 days.
That he took all the information about our house on the pretext
of praying and when I told him that my wife had done a nursing
course and had gone to Singapore in the year 2021 and now
she has returned to India in April 2023 and my wife has been
here in India for about 7 months at present and now she wants
to go abroad again, then said Pastor Bawa Bhatti said that
along with the service of a Pastor, I also do the work of sending
people abroad, then in November 2023 he called us at his said
residence, in which he also runs his church and said that I will
send you to the UK for Rs. 2,00,000. I will get a Certificate of
Sponsorship (CoS) prepared in a private hospital in London
and I will get the rest of the amount after the visa and he said*



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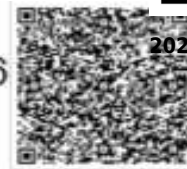
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that I will get your file prepared on the same day because I have already sent many people abroad, I will get it written on the same day whenever I have to come with my passport and other documents. So I went to his residence with my wife Neelam Massey with my wife's passport, Aadhar card and nursing certificate and proof of education, cheque book. Then he cunningly took both of us to the Ferozepur court and took the said original certificate of my wife, my two pieces of paper and took me to a lawyer in Ferozepur to write an agreement and there he cunningly made us sign the agreement and all the documents. He wrote this and said that I will also give him the written Certificate of Sponsorship (CoS). I will take Rs. 7,00,000 and the remaining amount after the visa. I told him that Pastor Ji had asked me to get a Certificate of Sponsorship (CoS) made and give it to you for Rs.2,00,000 but you have already written a document for Rs.7,00,000 but he said that it costs a lot, so I will take only this amount. Then the said Pastor sent me to the UK. A fake Certificate of Sponsorship (CoS) of the work permit was sent to our phone, on which he demanded Rs. 7,00,000 from us and said that I will give it to you only if you send me Rs.7,00,000, then I, being a Pastor, believed it and on January 12, 2024, talked to my father and transferred the money from his account 012734005000004 through RTGS. I sent Rs.5,00,000/- from Cooperative Bank Raja Sansi, Amritsar to its account Axis Bank 917010049733516 through cheque number 017505, which I had obtained by mortgaging the registry of my said house. After this, the said Pastor and his wife Raman Bawa Bhatti came to Amritsar with 4 other associates after about 10 days and he said that I am at Crystal Chowk. When I reached Crystal Chowk with my wife and children, I saw that there were 4 other people with him, so he



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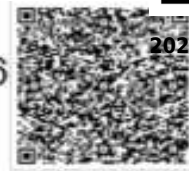
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went inside the Babbi Kitchen Corner, where we served him dinner while respecting him, which cost us about Rs.6,000 and he received Rs.2,00,000/- cash from us that night and said that your work is about to be done. After this, he got my wife's medical done from Ludhiana in April 2024, for which we also paid and he said that all your files are ready now, keep the remaining amount ready. So, many months passed in this way and in these months, he has been coming to my house many times and taking Rs.50,000/-and sometimes up to Rs.1,00,000/- and sometimes Rs.80,000/- cash from me. Then he said that your UK visa is not being completed. I get your wife's Canadian visa, then he got my wife's biometric done at VSF Company in Jalandhar, the expenses of which were also borne by us. After this, on 9 October 2024, he sent a fake Canadian visa to my number and demanded another Rs.5,00,000 from me, which I have been sending to his said account in different amounts and on different dates, of which I have proof and I also have proof of the chatting with the said Pastor as to how he first sent my wife to the UK. He has cheated us of about Rs.22,00,000 on the pretext of applying for a visa to UK and then a Canadian visa. Now whenever we call the said Pastor Bawa Bhatti, he hangs up our phone and whenever he picks up the phone, he asks us to wait for more and says that if we want to complain, then do it, the police cannot harm me. I have given this entire amount of money to this Pastor by mortgaging my house registry to someone, selling all my savings and jewelry etc., about Rs.22,00,000, on which we are getting interest of about Rs.72,000 per month, which the usurers are saying about not returning our registry if you do not pay the full interest. The said Pastor knows all these things very well that how we are deprived of bread. I have three daughters, the youngest of



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whom I have stopped from sending to school. I request that a case be registered against the said Bawa Pastor and his wife Raman Bawa Bhatti on charges of cheating my wife of about Rs.22,00,000 on the pretext of sending her first to the UK and later to Canada. I have no source of income from which I can deduct all the interest due to which my father and I are in depression, because this amount has been given by pledging all my capital and my father's savings and jewelry and the registry in my father's name, all the evidence of which is available with me. I request that our money and my wife's original documents, passport and cheque be returned to us from the said Pastor Bawa and that the strictest case be lodged against him on the charges that he has cheated me in the name of sending my wife abroad.

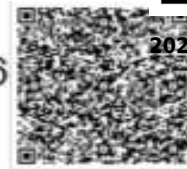
3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. In fact, no offence whatsoever is made out. The complainant had borrowed an amount of Rs.11,00,000/- from the petitioner and in order to discharge his liability, issued a cheque which was dishonoured. As the petitioner got issued a legal notice, the complainant has concocted a false story and got registered the present FIR. He contends that the petitioner is ready and willing to join the investigation. Therefore, he be granted the concession of anticipatory bail.

4. The learned counsel for the respondent, on the other hand, has filed a short reply dated 13.05.2026 which is taken on record. While referring to the said reply, he contends that the petitioner received an amount of approximately Rs.22,00,000/- on the pretext of sending the complainant



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and his wife abroad. Neither the complainant nor his wife was sent abroad nor was the amount returned. In fact, a fake Canadian Visa has been sent on the mobile phone of the complainant which only goes to substantiate the allegations levelled. Despite the fact that the petitioner was aware of the complaint filed against him, he has deliberately chosen not to join the enquiry proceedings which culminated into the registration of the FIR. 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 required. Therefore, the present petition is liable to be dismissed.

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:-

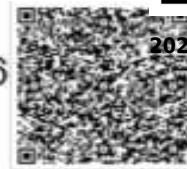
"It may be true, as pointed out by learned counsel appearing for Respondent No.1, that charge-sheet has already been filed. It will be unfair to presume on our part that the Investigating Officer does not require Respondent No.1 for custodial interrogation for the purpose of further investigation.

Be that as it may, even assuming it a case where Respondent No.1 is not required for custodial interrogation, we



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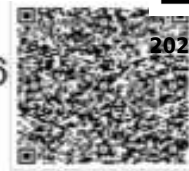
are satisfied that the High Court ought not to have granted discretionary relief of anticipatory bail.

*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 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***



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interrogation is not required or necessitated, by itself, cannot be a ground to grant anticipatory bail. ”

7. From the enquiry conducted on the application moved by the complainant, it is apparent that the petitioner received a sum of Rs.22,00,000/- on the pretext of sending the complainant and his wife first to England and thereafter, to Canada. In furtherance of the same, a fake Canadian Visa was sent on the phone of the complainant. However, neither was the complainant nor his wife sent either to U.K. or to Canada. Rs.22,00,000/- received by the petitioner have not been returned to the complainant. Despite knowing the factum of an enquiry pending against him, the petitioner has deliberately chosen not to join the proceedings.

8. The relevant extract of the reply by way of an affidavit of Kapil Kaushal, PPS, Deputy Superintendent of Police, Sub Division Rajasansi, Amritsar (Rural) dated 13.05.2026 enumerates the role played by the petitioner and reads as under:-

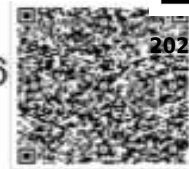
5. That as per the prosecution version, the petitioner had cheated the respondent No.2 by giving him a false inducement of sending his wife Neelam Messey to England on work permit and caused him a wrongful loss of Rs.22,00,000/- and neither the petitioner send his wife Neelam Messey to England nor he returned any amount.

6. That it is humbly submitted that during the preliminary enquiry, it was found that an amount of Rs.12 Lakh 58 Thousand was given in cash to the petitioner and the amount



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Rs.9,50,000 deposited in accounts given by the petitioner are as under:-

Sr. No.	Transferred from	Transferred to	Amount
1.	012734005000004 of Nazar Messey.	917010049733516 of the petitioner	Rs. 5 Lakh
2.	635710310000408 of respondent No.2	917010049733516 of the petitioner	Rs. 3 Lakh
3.	635710310000408 of respondent No.2	917010049733516 of the petitioner	Rs. 1,50,000/-

9. 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 required.

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

11. 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.

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

May 15, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

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