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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Navjot Kaur @ Nav

....Petitioner

V/s

State of Punjab

....Respondent

Date of decision: 14.07.2026**Date of Uploading : 15.07.2026****CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Yajur Sharma, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. The present petition is the second attempt under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter to be referred as 'the BNSS') for grant of pre-arrest/anticipatory bail to the petitioner in case bearing FIR No.141 dated 30.11.2025, registered for the offences punishable under Sections 25(6), 25(8) of the Arms Act at Police Station Mehta, District Amritsar (Rural).

The petitioner had earlier applied for grant of pre-arrest/anticipatory bail before this Court which was dismissed as withdrawn on 02.04.2026. The relevant part of said order reads as under:-

“2. Learned counsel appearing for the petitioner, after arguing for sometime, seeks to withdraw the petition in hand.

3. Ordered accordingly.”

Thereafter, the present petition i.e. the second petition for grant of anticipatory/pre-arrest bail has been preferred by the petitioner on 27.05.2026.

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2. The FIR in the present case was registered on the basis of secret information received by the police to the effect that accused Baljinder Singh @ Bunty was engaged in the supply of illicit weapons and ammunition. Acting upon the said information, a raiding party was constituted and the accused was apprehended while travelling on a motorcycle. Upon search, one foreign-made pistol bearing mark "COLT Kimber Commando Model" .30 bore along with a magazine and three live cartridges were recovered from his conscious possession. Accordingly, FIR in question came to be registered. During the course of custodial interrogation, the arrested accused allegedly suffered disclosure statements which led to the nomination of several other persons including the present petitioner Navjot Kaur, wife of co-accused Ranjodh Singh @ Bablu.

3. Learned counsel for the petitioner has iterated that the petitioner was neither named in the FIR nor apprehended from the spot and her implication rests solely on the basis of disclosure statement(s) of co-accused. Learned counsel has further iterated that no recovery has been effected from the petitioner and there is no independent material in the form of call detail records (CDR), financial transactions, documentary evidence or statement(s) of independent witnesses which connect her with the alleged crime. Learned counsel has further contended that the petitioner is a lady aged about 29 years and has been implicated only on account of her relationship with co-accused Ranjodh Singh @ Bablu. Furthermore, the main accused has already been arrested and the weapon has been recovered; therefore, no useful purpose would be served by subjecting the petitioner to custodial interrogation. Moreover, the petitioner has deep roots in society and there is no likelihood of her absconding or influencing the investigation.

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It has been further argued that the petitioner is willing to join the investigation and cooperate therein as and when required in case she is enlarged on bail. On the strength of these submissions, the grant of the instant petition is entreated for.

4. *Per contra*, learned State counsel has opposed the grant of anticipatory bail to the petitioner by arguing that the present petition is not maintainable, as it constitutes a second petition for anticipatory bail, without there being any substantial change in circumstances, thereby failing both on procedural grounds and on merits. Learned State counsel has submitted that the first petition was dismissed as withdrawn on 02.04.2026 before this Court and neither any prayer was made nor was any liberty granted to the petitioner to file afresh with better particulars. Accordingly, the State counsel has argued that the instant petition deserves dismissal on this score alone. On merits, learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are grave in nature as the investigation has disclosed the involvement of the petitioner in a larger network concerning the procurement and transmission of illicit weapons. It has been further contended that the petitioner has been nominated during the course of investigation on the basis of material collected by the investigating agency and her custodial interrogation is necessary for unearthing the entire conspiracy, tracing the source and destination of illegal weapons and identifying other persons involved in the racket. Given the gravity of the offence and the potential threat to the fair conduct of the trial, it is prayed that the petitioner does not deserve the concession of anticipatory bail. Accordingly, a prayer has been made for the dismissal of the petition in hand.



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5. I have heard the learned counsel for the rival parties and have gone through the available record of the case.

6. It would be apposite to refer herein to a judgment passed by this Court in a titled as ***Bhisham Singh vs. State of Haryana, 2024(3) RCR(Criminal) 65***, relevant whereof reads as under:-

“11. As an epilogue to the above rumination, the following principles emerge:

I Second/successive anticipatory bail petition(s) filed under Section 438 of Cr.P.C., 1973 is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.

II Such second/successive anticipatory bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.

III For the second/successive anticipatory bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice.

IV No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Accordingly, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive anticipatory bail petition(s).

V In case a Court chooses to grant second/successive anticipatory bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed.

VI Once a plea for anticipatory bail has been dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution



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or dismissed on merits by the High Court, no second/successive anticipatory bail petition(s) shall be entertained by a Sessions Court.”

7. The present petition is a second petition for grant of anticipatory bail by the petitioner. A second anticipatory bail petition is indeed maintainable under law; however, it requires demonstration of a substantial change in circumstances since the earlier petition. It is a settled proposition of law that such a change must be significant and not merely superficial or technical, to warrant reconsideration. This standard ensures that the remedy of successive bail petitions is not misused through repeated filings but is available when new and material factors arise that alter the initial assessment of the case. The first anticipatory bail filed by the petitioner was dismissed as withdrawn on 02.04.2026. The instant petition i.e. second petition for grant of anticipatory bail has been filed thereafter on 27.05.2026. No fresh substantial change in circumstance has been brought forward which would indicate that the petitioner is entitled to maintain his second petition for grant of anticipatory bail. From the entire factual conspectus brought forward in the present petition, no fresh ground or circumstance is made out so as to enable the petitioner to file and maintain the second anticipatory bail petition. However, since the first anticipatory bail petition was dismissed as withdrawn and there was no adjudication on merits thereof, this Court deems it appropriate to decide the instant one on merits thereof as well.

8. As per the case put forth in the FIR in question, indubitably, serious allegations have been levelled against the petitioner. As per the allegations, the FIR in question was registered on the basis of a secret

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information wherein co-accused Baljinder Singh was apprehended and recovery of one foreign made pistol 'COLT Kimber Commando Government Model' .30 bore alongwith three live cartridges was effected. The present petitioner came to be nominated on the basis of disclosure statement made by co-accused during the course of investigation. Even otherwise, the allegations against the petitioner cannot be brushed aside at this stage. Although the petitioner was not named in the FIR and no recovery has been effected from her but the investigation reflects that her name surfaced during the course of investigation engaged in facilitating the movement and supply of illicit weapons. The allegations relate to offences affecting public order and public safety. The illegal trafficking and circulation of firearms constitute serious offences having far-reaching consequences for Society. The plea that the petitioner has been implicated merely because she is the wife of a co-accused cannot be accepted at this stage. The investigation is still in progress and extent of her involvement is yet to be unearthed. The Court, while considering a prayer for anticipatory bail, is not expected to undertake a meticulous examination of the evidentiary value of the material collected during investigation. The stand of the investigating agency before this Court is that the custodial interrogation of the petitioner may be required for tracing the chain of procurement and supply of illegal weapons as also for identifying other persons involved in the alleged conspiracy. The contention that no recovery is to be effected from the petitioner also does not advance the case of the petitioner. The grant of anticipatory bail, at this stage, may impede the investigation and adversely affect the efforts of the investigating agency in uncovering the complete ramifications of the crime. Another circumstance which weighs



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with this Court is the criminal antecedents attributed to the petitioner. Though antecedents alone may not be decisive factor but they constitute a relevant factor while considering the plea for grant of anticipatory bail. The petitioner is stated to have been involved in other criminal case under the NDPS Act.

9. The contention that no recovery has been effected from the petitioner does not, by itself, entitled her to the concession of pre-arrest bail. Given the seriousness of the offence and the stage of investigation, this Court is of the view that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand. In the considered opinion of this Court, the grant of anticipatory bail at this premature stage may seriously prejudice the ongoing investigation and potentially result in tampering with evidence or influencing the material witnesses. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. At this stage, there is no material on record to hold that *prima facie* case is not made out against the petitioner. The material which has come on record and preliminary investigation, appear to be establish a reasonable basis for the accusation of the petitioner. Thus, it is not appropriate to grant anticipatory bail to the petitioner, as it would necessarily cause impediment in effective investigation. In **State v. Anil Sharma, (1997) 7 SCC 187 : 1997 SCC (Cri) 1039**], the Supreme Court



- “6. We find force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders.”
10. Accordingly, this Court is of the considered opinion that the petitioner does not deserve the concession of anticipatory bail in the factual *milieu* of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for an effective investigation & to unravel the truth. The present petition is, thus, devoid of merits and is hereby dismissed.
11. Nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case/investigation.
12. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

July 14, 2026
Ajay

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