



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

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CRM-M No.8088 of 2026 (O&M)

Date of Decision:18.03.2026

Amandeep Kaur**.....Petitioner****Versus****State of Punjab****..... Respondent****CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH****Present:** Ms. Gurpreet Kaur, Advocate for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

SURYA PARTAP SINGH, J. (Oral):

For the benefit of anticipatory bail, the instant petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023, in a case arising out of the FIR No.134 dated 13.12.2025, under Sections 109, 111, 61(2) 3(5) [Sections 253 and 308(2) added later on] of Bharatiya Nyaya Sanhita, 2023, and Section 25 of Arms Act, Police Station Sadar Rajpura, District Patiala.

2. Briefly stating the facts emerging from record are that the FIR of this case came into being At the instance of 'Darshan Singh' son of 'Bhan Singh', hereinafter being referred to as 'complainant', only. It was stated by the complainant that on 12.12.2025 at about 6.00 P.M. he went to his cattle shed to serve fodder to his buffaloes, and milk them. As per complainant there three young boys with muffled faces arrived on a motorcycle inquired about his name and address, and then one of them picked-up a pistol from his waistband and fired 4-5 gun-shots with an intention to kill him. According to



complainant one of the shot hit his stomach and thereafter the assailants fled from the spot.

3. It is the case of the prosecution that in view of above mentioned complaint the formal FIR of this case was lodged and the investigation taken. It is the case of the prosecution that during the course of investigation statement of 'Tarsem Singh' son of complainant was recorded. It was stated by the above named witness that his brother 'Gurdial Singh' was residing in the USA, and that when 'Gurdial Singh' came to know about the incident, he told him that he had received a phone call from 'Goldy Dhillon', who claimed himself to be a gangster and demanded a ransom of Rs.1 crore. According to above named witness the above named 'Goldy Dhillon' has also instructed 'Gurdial Singh' to pay money to his relative namely 'Mohinder Singh', 'Amarjit Singh', 'Manptreet Singh' and 'Amandeep Kaur' (petitioner herein), and threatened that in case ransom was not paid the family members of 'Gurdial Singh' would be harmed. The above named witness 'Tarsem Singh' also informed the police officials that after the firing incident 'Goldy Dhillon' called 'Gurdial Singh' again and stated that he had orchestrated the above mentioned firing incident, because the money was not paid as per his instructions. It is the case of the prosecution that in view of above mentioned statement the name of petitioner was introduced in the present case.

4. Heard.

5. It has been contended on behalf of petitioner that the petitioner is innocent having no nexus whatsoever with the commission of crime, and



that she is an old aged lady having no criminal antecedents. According to learned counsel for the petitioner the petitioner is being harassed only because she is the mother of prime accused 'Goldy Dhillon', who is settled abroad, and that except, for the statement of 'Tarsem Singh' there is no other connecting evidence to implicate the petitioner in the commission of crime. It has further been contended, by learned counsel for the petitioner, that the petitioner, being a lady, deserves a lenient view.

6. The learned State counsel has controverted the above mentioned arguments. According to learned State counsel in the present case the direct nexus between the commission of crime and the petitioner is established from the fact that after the incident the prime accused, who is settled in USA had called the son of complainant and told him to pay ransom to his mother. It has also been alleged by learned State counsel that there are allegations against the petitioner that she had been instrumental in facilitating the attack and harbouring the culprit. According to learned State counsel in order to fix the role of petitioner in the commission of crime, her custodial interrogation is necessary.

7. The learned State counsel has contended that otherwise also this fact cannot loose site that the son of petitioner is a well known gangsters, who is operating from foreign soil but in order to execute his plan he has tentacles in this country. As per learned State counsel the petitioner is one of the tool which is being used by the main culprit for collection of money and facilitating the attack to frighten the victims.

8. The record has been perused carefully.



9. At the very outset it is pertinent to mention that in the present case the petitioner has approached this Court for the benefit of anticipatory bail, which is an extraordinary remedy. With regard to parameters which should be followed while dealing with a petition for anticipatory bail, the requisite guiding principles have been laid down by the Hon'ble Supreme Court in the case of 'Srikant Upadhyay v. State of Bihar' 2024 SCC OnLine SC 282. In the above mentioned case it has been observed that power to grant anticipatory bail is extraordinary power, and that irrespective of the fact that in a number of cases, it has been held that bail is a rule, it cannot by any stretch of imagination, be said that anticipatory bail is a rule.

10. The Hon'ble Supreme Court of India in the abovementioned case further observed that rule of anticipatory bail is a question of judicial discretion depending upon the facts and circumstances of each case. According to Hon'ble Apex Court, when called upon to exercise the abovesaid power the Court concerned has to be very cautious, as the grant of interim protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation.

11. Similarly, in the case of 'Nikita Jagganath Shetty alias Nikita Vishwajeet Jadhav v. The State of Maharashtra and Another' (Special Leave Petition (Criminal) No. 10255 of 2024, decided on 21.07.2024), the Hon'ble Supreme Court of India has held that anticipatory bail is an exceptional remedy and it ought not be granted in a routine manner. As per the Hon'ble Supreme Court, there must exist strong reasons for extending indulgence of this extraordinary remedy to a person accused of grave offence.



12. In the case of ‘Gurbaksh Singh Sibbia etc. v. State of Punjab’ 1980 SCC (2) 565, the Hon'ble Supreme Court of India held that:-

- (1) The power under Section 438, Criminal Procedure Code, is of an extraordinary character and must be exercised sparingly in exceptional cases only.
- (2) In addition to the limitations mentioned in Section 437, the petitioner must make out a special case for the exercise of the power to grant anticipatory bail.
- (3) Where a legitimate case for the remand of the offender to the police custody under Section 167(2) can be made out by the investigating agency or a reasonable claim to secure incriminating material from information likely to be received from the offender under Section 27 of the Evidence Act can be made out, the power under Section 438 should not be exercised.

13. In the present case it is also relevant to note that over all facts and circumstances of the present case shows that the complainant is the victim of an organized crime, and the kingpin of the above mentioned racket is operating from a foreign soil. Thus obviously the above mentioned kingpin would be in contact with his operatives on the field, and in order to establish the above discussed link it is necessary that opportunity should be given to the investigating agency to interrogate the petitioner.

14. In the present case there are very specific and categorical allegations against the petitioner that as per ransom call made by the prime accused, the money was to be delivered through the petitioner. In addition to



above, there are also allegations against the petitioner that she was instrumental in harbouring the assailants in her home. In order to find out the truth behind the above mentioned claims of the investigating agency, the only course available for the investigating agency is the custodial interrogation of the petitioner.

15. It shall not be out of place to mention here that right of custodial interrogation of investigating agency is a valuable right and in ordinary course such right should not be denied to the investigating agency. In the present case thee appears to be no exceptional circumstances which may justify the denial of above mentioned valuable right to the investigating agency.

16. As a sequel to above mentioned discussion it is hereby observed that the present petition fails to qualify the test which may render the petitioner, to be eligible for anticipatory bail. In the given fact situation, it is hereby held that the petitioner is not entitled for the benefit of anticipatory bail. Thus finding no merits, the present petition is hereby **dismissed** accordingly.

(SURYA PARTAP SINGH)
JUDGE

18.03.2026
Manoj Bhutani

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