

**In the High Court of Punjab and Haryana, at Chandigarh****Criminal Misc. No. M-14681 of 2026****Date of Decision: 06.04.2026**

Balwinder Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Surya Partap Singh.

Present: Mr. Manoj R. Sharma, Advocate
for the petitioner(s).

Mr. Eklavya Darshi, Deputy Advocate General,
Punjab, for the respondent.

Surya Partap Singh, J.

1. This petition for anticipatory bail, is the first petition filed by the petitioner under Section 482 of 'the Bharatiya Nagarik Suraksha Sanhita, 2023'. It has been filed with regard to a case arising out of FIR No. 327 dated 02.11.2025, for the commission of offence punishable under Section(s) 21 and 29 of 'the Narcotic Drugs and Psychotropic Substances Act, 1985', Police Station Civil Lines Batala, District Gurdaspur, Punjab.

2. Vide order dated 18.03.2026, the petitioner was admitted to interim anticipatory bail, subject to the condition of furnishing bonds to the satisfaction of arresting officer. It was also directed that the petitioner shall join the investigation.

3. Heard.

4. It has been submitted by learned counsel for the petitioner that

in compliance with order dated 18.03.2026, the petitioner has already joined the investigation, and that nothing has been left to be recovered from the possession of petitioner. In view of above, the learned counsel for the petitioner has requested that the order dated 18.03.2026 be made absolute.

5. The learned State counsel has controverted the above-mentioned arguments. According to the learned State counsel although the petitioner has joined the investigation, but his attitude was non-cooperative, and that in order to extract information from the petitioner with regard to identity of other accused, and also for collection of evidence, his custodial interrogation is required.

6. The record has been perused carefully.

7. With regard to fact-situation of this case and the above-mentioned arguments, following are the relevant factors which are supposed to be taken into consideration:-

- i) that the petitioner has already joined the investigation;
- ii) that the petitioner cannot be forced to help the prosecuting agency in recovering incriminating material against himself; and
- iii) that there is nothing significant, which has to be recovered in this case with the assistance of petitioner.

8. Keeping in view the above discussed factors the order dated 18.03.2026 is hereby made absolute. The present petition stands allowed, accordingly.

(Surya Partap Singh)
Judge

April 06, 2026
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No