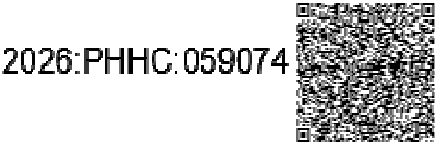


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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Prabhjot Singh @ Prabh
.....Petitioner
versus
State of Punjab
.....Respondent

Date of decision: April 20, 2026
Date of Uploading: April 21, 2026

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present:- Ms. Riffi Birla, Advocate for the petitioner.
Mr. Adhiraj Singh Thind, AAG Punjab.

SUMEET GOEL, J. (ORAL)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) read with Section 528 of the BNSS, for grant of interim regular bail to the petitioner, for a period of 02 months on account of advance stage of pregnancy of the petitioner’s wife, in case bearing FIR No.18 dated 24.11.2025, registered under Sections 25/ 54/ 59 of the Arms Act, 1959 and Sections 3, 4, 5 of the Explosive Substances Act, 1908 [Section 317 of the BNS (corresponding to Section 411 IPC) added later on], at Police Station SSOC, District Fazilka.

2. The gravamen of the FIR in question is that on 24.11.2025, in search of suspicious persons, the police party, proceeded towards the

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Jalalabad Indo-Pak border area and set up a checkpoint on the link road from Jalalabad to Bahmani Wala Road towards village Chak Mojdin Wala (Surghuri). During checking, the police noticed a black motorcycle without a registration number plate, carrying two young persons with covered faces, was noticed approaching. Upon being signalled to stop, the riders attempted to flee but were apprehended.

On inquiry, the rider was identified as Vikram Singh, while the pillion rider was identified as Prabhjot Singh @ Prabh (*petitioner herein*). Upon suspicion, the police conducted a search. A green cloth envelope placed between both accused on the motorcycle was recovered, which, upon opening, was found to contain two live hand grenades. During personal search, from co-accused Vikram Singh, a 9mm Glock pistol with two live cartridges, and from the petitioner, a mobile phone (Galaxy S23 Ultra) was recovered.

3. Learned counsel for the petitioner has argued that the petitioner has been in custody since 24.11.2025, and has been falsely implicated into the FIR in question. Learned counsel has submitted that wife of the petitioner is in advanced stage of pregnancy and the estimated delivery date is 24.04.2026. Learned counsel has urged that pregnancy of the petitioner's wife, particularly in its advanced stage, is medically sensitive and requires constant care, emotional support, and immediate assistance in case of any complication. Such care cannot be effectively ensured in the absence of the petitioner. It is submitted that the petitioner and his wife solemnized their marriage against the wishes of their respective families, and therefore, she

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does not have the support of her parental or matrimonial family. The petitioner's wife is solely dependent upon him for her day-to-day needs, medical care, and emotional support, and there is no other person available to take care of her during this critical period. It is further submitted that presence of the husband during childbirth is of utmost importance on both medical and humanitarian grounds. His absence may cause serious emotional distress to the petitioner's wife, who is already undergoing significant physical and mental strain. In the absence of any able-bodied family member to assist her, the petitioner's presence becomes indispensable for her well-being and safety during this delicate medical condition.

4. *Per contra*, learned State counsel has filed reply by way of an affidavit dated 04.04.2026, which is already on record. Raising submissions in tandem with the said reply, learned State counsel has opposed the petition in hand. Relevant of the said reply, in the preliminary submissions, reads thus:

“10. *That the role attributed to the petitioner Prabhjot Singh @ Prabh is that he, in conspiracy with co-accused Vikram Singh and Amandeep Singh, was involved in receiving and supplying arms, ammunition and other contraband articles sent by Pakistani smugglers. The petitioner was apprehended at the spot while riding as a pillion rider on a motorcycle along with co-accused Vikram Singh, from whose joint possession 02 live hand grenades were recovered. During investigation and interrogation, the petitioner disclosed that he used to act on the instructions of co-accused Amandeep Singh and was tasked with collecting and delivering the recovered hand grenades. Further, during analysis of his mobile phone, certain financial transactions through State Bank of Mauritius's Bank accounts and the Binance (Crypto Exchange) App were found, which, as per the petitioner's disclosure, were used for monetary transactions relating to the said illegal activities. Transaction are mentioned in annexure R-2.”*

4.1. Further, with respect to the medical condition of the wife of the petitioner, following has been stated in para-4 of the reply on merits:

“4. That the contents of para No. 4 of the petition are denied being incorrect and misconceived. It is submitted that although the presence of the husband may provide emotional support, the same is not indispensable in the present case as the wife of the petitioner is in normal health condition as per the report of the Medical Officer, Aam Aadmi Clinic, Ghubaya, Fazilka, and is residing in a joint family where her in-laws and other family members are available and fully capable of taking proper care of her. It is further submitted that, as per the recorded statement of Rajbir Kaur wife of Sunil Singh, Sarpanch of Village Chak Bajida, Police Station Sadar Jalalabad, and the statement of Jaswinder Singh, father of the petitioner, the petitioner's wife is residing with her in-laws' family. Therefore, the allegation that there is no able-bodied family member available to look after her is false, baseless and contrary to the record. Hence, no exceptional ground is made out for grant of interim bail to the petitioner.”

4.2. Learned State counsel has, thus, submitted that, in case, the petitioner is granted concession of interim regular bail, there is all likelihood that he may abscond from the process of justice as also interfere/ intimidate the prosecution evidence/ witnesses. Learned State counsel has further asserted that upon culmination of investigation, challan has been presented on 22.01.2026 and total 13 prosecution witnesses have been cited and the charges are yet to be framed. Accordingly, the dismissal of the present petition is prayed for.

5. I have heard learned counsel for the rival parties and have perused the paper-book.

6. As per the prosecution's case and upon perusal of the impugned order, it *prima facie* emerges that serious allegations have been levelled against the petitioner. The petitioner, along with his co-accused, has been attributed a specific & active role in receiving and supplying arms, ammunition, and other contraband articles allegedly transmitted by Pakistani

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smugglers. It is further alleged that the petitioner was apprehended at the spot while riding as a pillion rider on a motorcycle along with his co-accused, and from their conscious joint possession, two live hand grenades were recovered. The prosecution also relies upon disclosure statement of the petitioner, wherein, he is stated to have admitted that he was acting at the behest of his co-accused and had been entrusted with the task of collecting and delivering the recovered hand grenades. Additionally, during the course of investigation, certain financial transactions were traced through a bank account in the State Bank of Mauritius and *via* the Binance (crypto exchange) application. The petitioner is stated to have disclosed that these channels were used for monetary transactions linked to the alleged illegal activities.

6.1. With regard to the medical condition of the petitioner's wife, it has been specifically averred in the aforesaid reply, that as per report of the concerned Medical Officer, she is in a stable and normal condition. The wife of the petitioner is residing in a joint family setup along with her in-laws and other family members, who are fully capable of taking care of her. The aforesaid fact is substantiated with the statements of the Sarpanch of the village concerned and Jaswinder Singh (father of the petitioner). The averment of the petitioner with regard to absence of any able-bodied person in his family to take care of his pregnant wife, has been specifically denied, alleging the same being false, baseless and contrary to the record given the aforesaid factual situation.

7. Keeping in view the entirety of the facts and circumstances of the case in hand; especially the specific role attributed to the petitioner and the fact that the petitioner’s pregnant wife is residing in a joint family with adequate support available for her care during her medical condition; this Court finds no ground to grant the petition in hand. Accordingly, the same is hereby **dismissed**.
8. Any observations made and/or submissions noted hereinabove shall not have any effect on merits of the case and the trial Court shall proceed further, in accordance with law, without being influenced with this order.
9. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

April 20, 2026
mahavir

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