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

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**CRM-M No.17599 of 2026
Date of decision: 10.04.2026**

Komalpreet Kaur @ Komaljeet Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Vipin Mahajan, Senior Advocate with
Mr. Rajat Dogra, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

Mr. Sehajpreet Singh Sandhu, Advocate,
for the complainant.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under
Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short



‘BNSS’) seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
57	06.03.2026	Raja Sansi, District Amritsar Rural	103(2), 333, 191(3), 190 and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (For short “BNS”)

2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR has been registered on the basis of statement recorded by the complainant Balkar Singh alleging that on 06.03.2026, his younger brother Jagjit Singh who was posted in IRB, Punjab Police, Pahtankot had come to his house in Village Jagdev Kalan. Mukhtar Singh, youngest brother of the complainant along with his son Manpreet had gone to the house of Jagjit Singh to meet him and while they were sitting there and talking to each other, the present petitioner accompanied by the co-accused forcibly entered therein. The petitioner made an exhortation to catch Jagjit Singh by saying that he had levelled allegations of committing theft in marriage function of their relative. The co-accused were armed with weapons. The accused Gajjan Singh pushed Jagjit Singh whereas the petitioner along with accused Parneet Kaur caught hold of his legs, accused Balraj Singh and Sukhraj Singh caught hold of his arms and hit his head with stairs and then threw him on the ground. Accused Chanpreet Singh and Manjit Singh sat over the chest of

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Jagjit Singh and gave fist blows to him. On clamour being raised by the complainant and others, they fled from the spot. The victim Jagjit Singh was rushed to hospital but was declared to be brought dead.

3. After registration of FIR, investigation proceedings have been initiated and are underway. Apprehending her arrest, the petitioner moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Sessions Judge, Amritsar vide order dated 24.03.2026.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. Infact, Manpreet Singh, nephew of the victim Jagjit Singh used to send messages to the minor daughter of the petitioner and due to this fact, she along with the co-accused had gone to make Manpreet Singh understand and to resolve the matter. Previously, phone calls had been exchanged between the members of the petitioner side as well as the victim side for this purpose. All of them were empty handed. The victim had sustained only two injuries and a minor scuffle had taken place. He had sustained head injury due to falling down and had died. Her entire family has been dragged into the matter falsely. All her family members were behind bars and only she along with her daughter are left behind. She has clean antecedents. Her custodial interrogation is not required. She is ready to join investigation.

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No recovery is to be effected from her. There would be no one to take care of her daughter if she is send to custody. It is, therefore, argued that she deserves to be extended benefit of pre arrest bail.

5. Status report has been filed by the respondent-State. Power of Attorney on behalf of complainant has also been filed. Learned Assistant Advocate General, Punjab assisted by learned counsel for the complainant has argued that the allegations against the petitioner are serious in nature. It was on her exhortation that the co-accused had opened attack upon the victim. She was an active participant in the entire occurrence as she along with co-accused Parneet Kaur had caught hold of leg of the victim. The victim had suffered a head injury. For conducting proper investigation in the matter, her custodial interrogation is must. There is no exceptional or extraordinary circumstance for grant of pre arrest bail to her. It is, therefore, argued that the petition does not deserve to be allowed.

6. This Court has considered the rival submissions.

7. The petitioner is alleged to have formed membership of an unlawful assembly with the co-accused and in prosecution of common object of that unlawful assembly, to have made an exhortation and to have caught hold of the legs of the victim. The victim has died a homicidal death. There are CCTV footage showing the petitioner while

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entering into the house of the victim along with the co-accused. She herself has not denied her presence at the spot. For conducting thorough investigation in the matter, the custodial interrogation of the petitioner is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. The Court has also to see that an order of anticipatory bail should not operate as an inroad in the normal legal procedure of criminal cases by the trial Court. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed

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to the petitioner, the likelihood of her influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

8. It is, however, clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10.04.2026
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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No