

2026.PHHC.070959



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-23741-2026

Kulwant Singh

...Petitioner

Versus

State of Punjab

...Respondent

Sr. No.	Particulars	Details
1	The date when the judgment is reserved	06.05.2026
2	The date when the judgment is pronounced	08.05.2026
3	The date when the judgment is uploaded on the website	08.05.2026
4	Whether only operative part of the judgment is pronounced or full judgment is pronounced	Full
5	The delay, if any, of the pronouncement of full judgment, and reasons thereof	Not applicable

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. Roshandeep Singh, Assistant Advocate General, Punjab.

MANISHA BATRA, J :-

The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short ‘BNSS’) by the petitioner seeking grant of anticipatory bail in case bearing FIR No. 46 dated 23.02.2026 registered under Section 105 of Bharatiya Nyaya Sanhita, 2023 (for short ‘BNS’) and Sections 15 and 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, ‘NDPS Act’) at Police Station Shahkot,

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Jalandhar.

2. The aforementioned FIR was registered on the basis of statement recorded by the complainant Manjeet Kaur on 23.02.2026, alleging therein that her husband Jagraj Singh was a drug addict. He used to loiter along with the present petitioner and one Shinda Singh, who were involved in sale of poppy husk and *heroin* etc. On 22.02.2026, her husband had gone along with the petitioner and the above-named Shinda Singh but did not return. Her mother-in-law had started searching for him. The dead body of her husband was found lying in a field abutting the Satluj river dam. By alleging that the present petitioner and co-accused Shinda Singh must have given some poisonous substance to her husband leading to his death, she prayed for taking action in the matter.

3. After registration of FIR, investigation proceedings have been initiated and are underway. Postmortem examination of the dead body of the victim was conducted. Apprehending his arrest, the petitioner moved an application for grant of anticipatory bail which was dismissed by the court of learned Additional Sessions Judge, Jalandhar by order dated 23.03.2026.

4. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. In fact, he was not present at the spot. There is no eyewitness to the occurrence. The case is resting upon circumstantial evidence and there is no circumstance to connect him with the crime. He has clean antecedents. He is ready to join the investigation. His custodial interrogation is not required. No recovery is to be effected from him. Even

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cause of death of victim is not known. It is, therefore, argued that the petition deserves to be allowed.

5. *Per contra* learned State Counsel, while relying upon the status report, has argued that there are serious allegations against the petitioner. His custodial interrogation is must for conducting proper investigation in the matter. No exceptional or extraordinary circumstance has been made out in favour of the petitioner for grant of anticipatory bail. It is, therefore, stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

7. The petitioner along with the co-accused is alleged to have gone along with the victim on 22.02.2026. The dead body of the victim was recovered on the same evening. The exact cause of death is yet to be ascertained as the chemical examination report has not been received. The allegations against him are serious in nature. For the purpose of conducting thorough and proper investigation in the matter and for eliciting information, as to the manner in which the victim had died, custodial interrogation of the petitioner is must. Even otherwise, the petitioner has failed to make out any exceptional or extraordinary circumstance for grant of pre-arrest bail to him. In case custodial interrogation of the petitioner is denied to the Investigating Agency, that shall leave many glaring loopholes and gaps, thereby adversely affecting the investigation. In view of the above discussed facts and

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circumstances, this Court is not inclined to grant concession of pre-arrest bail to the petitioner. Accordingly, the petition is dismissed.

8. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

9. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th May, 2026
Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |