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CRM-M-25743-2026

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-25743-2026
Date of decision: 21.05.2026

DHARAMINDER SINGH

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Raghav Gulati, Advocate and
Mr. Rahul Kesar, Advocate for the petitioner.

Ms. Amrit Kaur Mahir, AAG Punjab.

.....

RUPINDERJIT CHAHAL, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.0069 dated 08.04.2026 registered under Sections 256, 336(2), 336(3), 339, 340(2) and 61 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Sadar Tarn Taran, District Tarn Taran.

2. Brief facts as per the prosecution case are that the petitioner in connivance with other co-accused used forged signatures of ASI Balbir Singh and affixed on the verification report by giving '*no objection*' to release the passport of accused Shehnaz Singh @ Shehnaz Binder, thereby facilitating his escape abroad despite having the knowledge of his criminal antecedents. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and has only been nominated to save the real culprits. He further submits that no objection for



the release of passport of Shehnaz Singh @ Shehnaz Binder had passed through several hands before reaching its final stage, which clearly establishes that the petitioner was neither the author nor the approving authority. He submits that the allegations against the petitioner pertaining to forged signatures is based on preliminary inquiry whereas no scientific or FSL report has been produced on record to link the petitioner's handwriting to the alleged forged signature of ASI Balbir Singh. No recovery is to be effected from him. Moreover, the petitioner has clean antecedents as he is not involved in any other case. Learned counsel for the petitioner further submitted that the petitioner is ready and willing to join the investigation as and when called upon to do so by the investigating agency. Hence, he prays that present petition be allowed.

4. After registration of the FIR, investigation has been initiated and is under way. Apprehending his arrest, the petitioner had moved an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Tarn Taran, vide order dated 30.04.2026.

5. On the other hand, learned State counsel has filed the status report in the matter, which is taken on record and while referring to the same, she has vehemently opposed the prayer of the petitioner for grant of anticipatory bail on the ground that the allegations levelled against the petitioner are serious in nature. She argued that the petitioner in collusion with the other co-accused intentionally proceeded to process and recommend a favourable verification report for release of passport of one



his escape abroad. She further submits that during enquiry it has surfaced that the relevant verification documents were never brought to the notice of the concerned SHO and even ASI Balbir Singh has denied having signed the verification report. She submits that forged signatures of ASI Balbir Singh were affixed on the report and the involvement of the petitioner has emerged in preparation, movement and use of forged verification report. She further submitted that the custodial interrogation of the petitioner is required for a fair and proper investigation in the matter as well as to ascertain his exact role involved in the alleged offence. Hence, she prays for dismissal of the petition.

6. I have heard learned counsel for the parties and perused the record. The allegations against the petitioner are serious in nature. The material collected during investigation prima facie reveals that the petitioner, in connivance with the co-accused, participated in the preparation and processing of a forged verification report for facilitating the release of passport of one Shehnaz Singh @ Shehnaz Binder despite his criminal antecedents. The investigation further indicates that the relevant documents were never placed before the competent SHO and that the signatures of ASI Balbir Singh appearing on the verification report were allegedly forged. At this stage, the role attributed to the petitioner cannot be brushed aside merely on the ground that no FSL report has yet been placed on record. The investigation is still at a nascent stage and custodial interrogation of the petitioner appears necessary for effective investigation, to unearth the manner in which the forged verification report was prepared



stage, the exact role of the petitioner is yet to be ascertained and requires thorough investigation. The investigation is still in progress and important aspects, including the role of the other co-accused is yet to be examined. While considering the plea for grant of anticipatory bail, this Court is required to consider the overall nature of offence and accusations against the accused, the manner of occurrence, the gravity of offence and the potential impact of granting pre-arrest protection to the petitioner, at this stage. Granting anticipatory bail to the petitioner with such allegations, at this preliminary stage, would not be justified as it may affect the course of fair investigation and undermine the seriousness of the alleged act.

7. It is befitting to mention here that while considering a plea for grant of anticipatory bail, the Court has to equilibrate between safeguarding individual rights and protecting societal interest(s). The Court ought to reckon with the magnitude and nature of the offence; the role attributed to the accused; the need for fair and free investigation as also the deeper and wide impact of such alleged iniquities on the society. It would be apposite to refer herein judgment of Hon'ble Supreme Court in '***State Vs. Anil Sharma***', (1997) 7 SCC 187, wherein it has been held as under:

"6. We find, force in the submission of CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well-ensconced with a favourable order under Section 438 of the Code. In a case like this, effective interrogation of a suspected person is of tremendous advantage in disinterring many useful information and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest



bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct themselves as offenders."

8. Accordingly, this Court finds no merit in the present petition in the factual matrix of the case in hand. Moreover, custodial interrogation of the petitioner is necessary for effective investigation and if it is denied, it will leave many loose ends, which is not desired. Thus, the present petition being devoid of merits is accordingly dismissed.

9. It is made clear that nothing said hereinabove shall be deemed to be an expression of opinion upon merits of the case.

21.05.2026
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(RUPINDERJIT CHAHAL)
JUDGE

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No