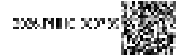


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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M-25771-2026
Date of decision: 21.05.2026**

**LAKHWINDER SINGH @ ASI LAKHWINDER SINGH
....Petitioner**

Versus

**STATE OF PUNJAB
....Respondent**

CORAM:- HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present:- Mr. Vikas Gupta, 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.69 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 intentionally prepared a misleading verification report for releasing 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. He argued that the matter regarding release of the passport was sent for legal opinion and it was nowhere opined that it is impermissible or there is any prohibition to



release the passport of Shehnaz Singh @ Shehnaz Binder which clearly establishes that the action on the part of the petitioner was within the purview of law and based on due legal consideration. He further submits that the role of the petitioner was limited to submitting a verification report based on facts and legal opinion. He further submits that no recovery is to be effected from the petitioner as the entire case is based upon documentary evidence, which is already in the custody of the investigating agency. 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 the petitioner had assisted in preparation of an unclear and misleading report recommending release of passport. She further submits that the enquiry has further revealed that one report was directly sent to Regional Passport Office, Amritsar and another misleading report was sent to Senior Superintendent of Police, Tarn Taran, thereby bypassing the proper procedure. 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 reveals that two separate reports were allegedly prepared and transmitted to different authorities, one directly to the Regional Passport Office, Amritsar and another to the Senior Superintendent of Police, Tarn Taran, thereby prima facie bypassing the prescribed procedure. 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 and processed, and to ascertain the involvement of other persons. The investigation is still in progress and important aspects,



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. Considering the gravity of the allegations, the custodial interrogation of the petitioner is necessary for effective investigation in the matter.

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