



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

104

CRM-M No.27207 of 2026
Date of decision: 13.05.2026

Charanjeet Kaur ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab,
for the respondent-State.

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
319	22.07.2025	City Faridkot, District Faridkot	21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’), 42 of Prisons Act, 1894 (For short “Act, 1894”) (52 of Act, 1894 and 29 of NDPS Act added later on)

2026:PHHC:075600



2. Brief facts relevant for the purpose of disposal of this petition are that the aforementioned FIR was registered on the basis of a complaint received from Jail Superintendent, Faridkot alleging therein that on 21.07.2025, the present petitioner is mother of Harpreet Singh who was lodged in the jail in connection with a case bearing FIR No.27 dated 25.01.2025 under Section 21 of NDPS Act at Police Station STF Mohali. She had come to meet her son along with wife who disclosed her name as Surinder Kaur. On that day, Harpreet Singh had been taken to Moga Court for the purpose of attending a hearing. The petitioner and her daughter-in-law had brought some clothing for Harpreet Singh and after depositing the same, they had left. When those clothings were checked under the scanning machine, 35 grams of heroin was found stitched with the said clothing.

3. After registration of FIR, investigation proceedings have been initiated and are underway. The co-accused who is daughter-in-law of the petitioner has been arrested. It was revealed that she had given wrong particulars before the police authorities. Apprehending her arrest, the petitioner filed an application for grant of anticipatory bail which has been dismissed by the Court of learned Additional Sessions Judge, Faridkot vide order dated 02.05.2026.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case on the basis of an improbable and

2026:PHHC:075600



unnatural version. Infact, she along with her daughter-in-law had gone to meet her son and had no knowledge whatsoever about the fact that any intoxicant had been kept in clothing of his son. She is an old aged lady suffering from several ailments. The contraband has been falsely planted. She is ready to join investigation. Her custodial interrogation is not required. Her antecedents are clean. It is, therefore, argued that the petition deserves to be allowed.

5. Notice of motion.

6. Ms. Ruchika Sabherwal, Sr. DAG, Punjab has advance notice of the petition and is ready to argue the matter. It is submitted by her that the allegations against the petitioner are serious in nature. For conducting thorough investigation in the matter, her custodial interrogation is must. It is, therefore, stressed that the petition does not deserve to be allowed.

7. This Court has considered the rival submissions.

8. The petitioner along with the co-accused is alleged to have concealed non commercial quantity of narcotic substance i.e. heroin in the clothing of the son which was to be supplied to him in the jail premises. The allegations against her are serious in nature. The case is at its nascent stage. For the purpose of conducting proper and thorough investigation in the matter, the custodial interrogation of the petitioner is must. In case, the same is denied to the investigation agency, that shall leave many glaring loopholes and gaps, adversely affecting the

2026:PHHC:075600



investigation. 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 powers of anticipatory bail are extraordinary and the same are to be exercised sparingly in exceptional circumstances. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. As such, this Court is of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

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

13.05.2026
manju

(MANISHA BATRA)
JUDGE

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