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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-65235-2025 (O&M)

Date of Decision:18.03.2026

Sukhwinder Kaur @ Jyoti

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Puneet Bali, Advocate, for the petitioner.
Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. The present petition has been filed under Section 482 of the BNSS, 2023 for grant of concession of anticipatory bail to the petitioner in in FIR No.70 dated 12.06.2025 under Sections 21/61/85 of NDPS Act registered at Police Station Sadar Ahmedgarh, District Malerkotla.

2. On 19.11.2025, this Court had passed the following order:-

“Prayer in this petition under Section 482 of BNSS, 2023 is for grant of anticipatory bail to the petitioner in case FIR No.70 dated 12.06.2025 registered at Police Station Sadar Ahmedgarh, District Malerkotla, under Sections 21/61/85 of NDPS Act.

Notice of motion. Mr. Jatinder Pal Singh, Sr. DAG, Punjab, has appeared and accepted notice on behalf of the State. Both the parties have been heard and material collected by the police during investigation has been perused.

Learned counsel for the petitioner contended that petitioner was granted ad interim anticipatory bail by the Judge,



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Special Court, Malerkotla vide order dated 07.07.2025 in the present FIR, as he had been nominated as an accused by one Palwinder Singh from whom 5 grams of heroin was recovered and he had nominated present petitioner as supplier. However, he could not join the investigation as per the directions issued by the Special Court as another FIR bearing No.95 dated 08.07.2025 at Police Station Sadar, Ahmedgarh was registered against him and he was apprehending arrest in that FIR as well. However, now he has been exonerated in the said FIR. Since, he could not join the investigation in the present FIR as per direction issued by the Court while granting ad interim anticipatory bail, the bail application was dismissed vide order dated 18.07.2025 (Annexure P4). Learned counsel further contended that petitioner is now ready to join the investigation and abide by the conditions that may be imposed by the Court and benefit of anticipatory bail be extended in his favour. In support of his contentions, learned counsel has cited the Law Finder Doc.id# 2687409, "**Sahil Joshi Vs. State of Punjab**" and order dated 20.08.2025 passed by Hon'ble Supreme Court in Criminal Appeal No.3640/2025 @ SLP (Crl) No.9190/2025 titled as '**Jugraj Singh Vs. State of Punjab**'. Learned counsel also cited the order dated 03.04.2025 passed by a Co-ordinate Bench of this Court in CRM-M-18403-2025 in the aforesaid case vide which bail application of aforesaid Jugraj Singh was rejected.

On the other hand, learned State counsel has opposed the prayer and argued that the name of the petitioner has emerged during investigation and disclosure statement of co-accused Palwinder Singh, has pointed towards his role in the present offence indicating his involvement in the illicit drug network



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and as such, his custodial interrogation is essential to trace the source from where the contraband was arranged and other links of supply and petitioner does not deserve anticipatory bail.

Admittedly, the name of the petitioner has cropped up in the disclosure statement of co-accused Palwinder Singh, from whom the alleged contraband was recovered. At this stage, there is no other material against the petitioner except disclosure statement of co-accused Palwinder Singh. In **Jugraj Singh's case (supra)**, 5kg heroin was recovered along with a sum of Rs.17.50 lakh drug money and main accused had nominated said Jugraj Singh as the supplier and the Hon'ble Supreme Court had ordered his release on anticipatory bail observing that mere disclosure statement is not sufficient to connect him with the alleged offence. As such, it is a fit case wherein benefit of anticipatory bail should be extended.

Adjourned to **19.01.2026** for filing status report.

In the meanwhile, the petitioner is directed to join the investigation and in the event of his arrest, he shall be admitted to ad-interim bail on furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer, subject to the following conditions as envisaged under Section 482(2) of the BNSS [erstwhile Section 438(2) Cr.P.C.]:-

- i) that the petitioner shall make herself available for interrogation by a police officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;



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iii) that the petitioner shall not leave India without the prior permission of the Court;

iv) such other condition as may be imposed under sub-section (3) of Section 480, as if the bail were granted under that section.”

3. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has joined investigation. He further submits that in case the investigating agency requires the petitioner to appear, she shall make herself available without demur.

4. Learned State counsel, on instructions, submits that the petitioner has joined the investigation. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 19.11.2025 granting interim bail to her, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C. (now 482(2) of BNSS, 2023)

6. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to her.

(AMAN CHAUDHARY)
JUDGE

March 18, 2026

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Whether speaking

: Yes/No

Whether reportable

: Yes/No