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IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M No.73539 of 2025  
Date of decision: 19.01.2026

Gurmeet Kaur @ Gurmit Kaur ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Kulwinder Bhargav, Advocate and  
Mr. Rakesh Mohan Jain, Advocate,  
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,  
for the respondent-State.

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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                                                                                                                 |
|---------|------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| 150     | 13.11.2025 | Valtoha, District Tarn Taran | 21 and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (29 of NDPS Act added later on) |

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2. As per the allegations, on 13.11.2025, a secret information was received to the effect that the accused Robindeep Singh @ Deepu was involved in the sale of contraband by taking it from the border and supplying it further and at that point of time also, he could be apprehended with heroin. Believing the secret information to be true, a barricade was laid at a suitable place. Intimation was sent at the police station. The above named Robindeep Singh was apprehended. Recovery of 3 kg 43 grams of heroin was effected from his conscious possession. He suffered disclosure statement on 16.11.2025 to the effect that he along with his mother Sharanjit Kaur used to buy contraband and to sell it further. He also disclosed that the present petitioner who was his friend used to assist him in sale of the contraband and he also deposited the amount of drug money in her account. The petitioner along with the co-accused was nominated as additional accused. Offence under Section 29 of NDPS Act was added. Apprehending her arrest, she moved application for grant of anticipatory bail which was dismissed by the Court of learned Additional Sessions Judge, Tarn Taran vide order dated 12.12.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case on the basis of disclosure statement of the co-accused which cannot be considered to be admissible in evidence. No specific role has been attributed to him. She is ready to join

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investigation. No recovery is to be effected from her. Her custodial interrogation is not required. She has clean antecedents. It is, thus, urged that the petition deserves to be allowed.

4. Per contra, learned Assistant Advocate General, Punjab while relying upon the contents of the status report filed in the petition has vehemently argued that the allegations against the petitioner are serious and specific in nature. The rigors of Section 37 of NDPS Act are attracted in this case. Her custodial interrogation is required for proper and thorough investigation in the matter. It is, therefore, argued that the petitioner does not deserve to be extended benefit of bail.

5. This Court has considered the rival submissions.

6. The petitioner in connivance with the co-accused is alleged to have been involved in the business of sale of contraband. She has placed on record Annexure P-3 copy of her bank account to show that no money has been deposited in her bank account by the co-accused at any point of time. However, this question cannot be gone into at this stage. For conducting thorough and proper investigation and for ascertaining the crime trail, the custodial interrogation of the petitioner is must. It is well settled proposition of law that arrest is a part of procedure of the investigation to secure not only the presence of the accused but several other purposes. The powers of anticipatory bail are extra ordinary and the

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same are to be exercised sparingly in exceptional circumstances. The judicial discretion conferred upon the Court has to be properly exercised after application of mind as to the nature and gravity of the accusation, possibility of applicant's fleeing from justice and other factors to decide whether it is a fit case for grant of anticipatory bail as such grant to some extent interferes in the sphere of investigation of an offence. 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 custodial interrogation of a suspected person is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order of anticipatory bail. The Court must be circumspect while exercising such power for grant of anticipatory bail and it should not be granted as a matter of rule and has to be granted only when the Court is convinced that exceptional circumstances exist to resort to that extra ordinary remedy. In the present case, no such exceptional circumstances warranting exercise of the powers for grant of anticipatory bail by this Court are existing. Keeping in view the gravity thereof, the role attributed to the petitioner, the likelihood of her influencing the course of investigation and also of tampering with the evidence, no ground has been made out for allowing the petition. As such, this Court is of the considered opinion that the petition does not

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deserve to be allowed. Accordingly, the same is dismissed.

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

19.01.2026  
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(MANISHA BATRA)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |