



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.57791 of 2024 (O&M)
Date of decision: 4th December, 2024

Sonia Rani
... Petitioner
Versus
State of Punjab
... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Samay S. Sandhawalia, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

CRM No.45906 of 2024

In view of the averments made in the application and in the
interest of justice, the same is allowed as prayed for.

CRM-M No.57791 of 2024

1. The petitioner is seeking the concession of bail under
Section 483 of the BNSS in case FIR No.62 dated 14.04.2024 under
Sections 21/21-C/29/61/85 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 registered at Police Station Special Task Force,
District SAS Nagar.
2. On the last date of hearing i.e. 26.11.2024, following order
was passed by this Court:

*“Learned counsel for the petitioner inter alia
contends that although in the secret information allegedly
received by the police it was mentioned that the petitioner*

along with his cousin co-accused Jonny Kumar Malwa and his wife Parjeta and maternal aunt and other relatives were indulging in the sale of Heroin, however, the petitioner was not apprehended along with co-accused Jonny Malwa and his wife Parjeta from whom alleged recovery of 800 gram Heroin was affected ; furthermore even when the petitioner was arrested on 16.04.2024 no recovery of any contraband much less Heroin was affected from her house or from her conscious possession. It has been asserted by learned counsel that in the circumstances, it is evident that the petitioner has been falsely implicated in the present case because had it been a case of the petitioner actually indulging in the sale and purchase of Heroin, some amount of contraband would have been recovered from her house or at least pursuant to her disclosure statement. It has been further submitted that the petitioner's false implication in the present case, it also evident from the fact that she has no previous criminal antecedents. Learned counsel for the petitioner submits that since investigation in the present case is complete and challan stands presented and as many as 21 prosecution witnesses have been cited, there is no possibility of the trial concluding in the near future.

Learned State counsel has vehemently opposed the prayer and submissions made by counsel opposite; he however seeks an adjournment as his instructions are incomplete with respect to the previous criminal antecedents of the petitioner as well as the recovery of the contraband, if any affected from her after she was arrested on 16.04.2024.”

3. Learned State counsel, on instructions, has not disputed that the petitioner was neither apprehended at the spot nor any recovery of contraband affected from her. It has also not been disputed by the learned State counsel, on instructions, that the petitioner has no previous criminal antecedents. Learned State counsel, on still further instructions, has not disputed the custody period of the petitioner as well as the stage of trial, i.e. the charges stand framed on 29.11.2024 and now the case is fixed for recording of prosecution evidence which is due to commence on 07.01.2025.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the facts and circumstances, as enumerated hereinabove, this Court, thus, deems it fit to extend the concession of bail to the petitioner. The petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

6. Needless to add here, in case the petitioner misuses the concession of bail, the State would be at liberty to approach this Court for cancellation of bail in the instant case.

(MANJARI NEHRU KAUL)
JUDGE

December 4, 2024
rps

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