



**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-57875-2024 (O&M)
Date of Decision:- 19.12.2024

Darshana ... Petitioner
Versus
State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manoj R. Sharma, Advocate, for the petitioner.
Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
96	25.09.2024	Sadar, Gurdaspur, District Gurdaspur	21(b)/27-A of NDPS Act (Section 29 of NDPS Act added later on vide DDR No.21 dated 26.9.2024)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The allegations, in nutshell are that the petitioner was found in possession of 60 grams of ‘Heroin’ apart from an amount of Rs.1500/- which was also recovered from her.
3. Learned counsel for the petitioner submits that the recovered contraband would fall in the category of “non-commercial” quantity and that the amount stated to have been recovered from the petitioner i.e. Rs.1500/- was her personal amount to be used for her domestic



purposes and there is no evidence to show that the same was earned by selling drugs, as is being projected by the prosecution.

4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed while in possession of contraband and also happens to be involved in 2 other cases under NDPS Act, though acquitted in one of the said cases, no leniency is warranted. It has however, been informed that the petitioner as on date has been behind bars for the last 2 months and 19 days and that challan is yet to be presented.
5. This Court has considered rival submissions addressed before this Court.
6. Having regard to the fact that it is a case of recovery of “non-commercial” quantity of contraband and the petitioner is a lady aged 56 years, her further detention would not be justified. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.12.2024
mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No