



**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

229

CRM-M-62428-2024

Date of decision: December 17<sup>th</sup>, 2024

Mandeep Kaur @ Mungi

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Raman Kumar, Advocate  
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

**MANJARI NEHRU KAUL, J. (ORAL)**

This is a third petition filed by the petitioner seeking the concession of regular bail in FIR No.162 dated 10.08.2023 registered under Sections 21 and 25 of the NDPS Act, 1985, at Police Station City Jagraon, District Ludhiana.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and has now been in custody since 10.08.2023 for allegedly being found in possession of 256 grams of heroin. It has been asserted that the recovered contraband was weighed along with the polythene bag. Learned counsel for the petitioner has asserted that had the contraband been weighed minus the polythene bag, the weight of the contraband would have been below the minimum classified as commercial under the NDPS Act. It has been further argued by the learned counsel that after the challan was presented on 30.10.2023, charges were framed on 04.03.2024, however, till date only one

prostitution witness out of the 15 cited had been examined and hence, the possibility of the trial concluding in the foreseeable future did not arise. Learned counsel has also brought to the notice of this Court that co-accused Amritpal Singh alias Amrit, who was arrested along with the petitioner had since been extended the concession of bail by this Court vide order the 20.11.2024 precisely for the reason that the trial had been proceeding at a slow pace.

3. Learned State counsel, on the other hand, while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has it been disputed, on instructions from S.I. Amarjit Singh, that only one prosecution witness has been examined till date. However, learned State counsel submits that out of the 15 prosecution witnesses, five have been given up and now nine remain to be examined. Learned State counsel has also not controverted that the alleged recovery affected from the petitioner is 256 grams of heroin which is just marginally higher than the minimum classified as commercial.

4. On a further query, learned State counsel, on instructions, has also apprised the Court that the petitioner has no previous criminal antecedents.

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

6. Although the charges were framed way back on 04.03.2024, however, it is a matter of record that till date only one prosecution witness has been examined. Hence, the possibility of the trial concluding in the near future does not arise.

7. In the facts and circumstances as enumerated hereinabove, this Court deems it fit to extend the concession of bail to the petitioner. Accordingly, the instant petition is allowed. The petitioner be admitted to bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/ Duty Magistrate concerned. 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.

8. Needless to say, in case the petitioner misuses the concession of bail granted to her, the State would be at liberty to seek cancellation of the same.

**December 17<sup>th</sup>, 2024**  
*Puneet*

**(MANJARI NEHRU KAUL)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No