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

**CRM-M-3382-2025
Date of Decision:27.01.2025**

UMA RANI @ UMA @ EKTA**...PETITIONER****VS.****STATE OF HARYANA****...RESPONDENT****Coram : Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Navneet Singh, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS, 2023 with a prayer to grant regular bail to him in case FIR No.403 dated 25.08.2024, registered under Section 21-B NDPS Act (Section 27-A NDPS Act added later on), Police Station Sadar Yamuna Nagar, District Yamuna Nagar, Haryana.

2. Learned counsel for the petitioner contends that as per the case of the prosecution, on receipt of a secret information, raid was conducted and Ravi @ Gulla, co-accused was arrested by the police, which led to recovery of 13.04 grams of heroine from him. He contends that the petitioner was not named in



the FIR nor any role has been attributed to him. Even during the course of investigation, the police had recorded the statement of co-accused namely Ravi @ Gulla in police custody and the co-accused had named the petitioner as one of the accomplice. He further contends that the petitioner was arrested in the present case on 11.12.2024 and no recovery was effected from him. Even otherwise, the quantity of contraband, which was allegedly recovered from Ravi @ Gulla, was 'non-commercial' in nature and the rigors of Section 37 of the NDPS Act may not applied to the facts of the present case. He further contends that the police has planted a recovery of Rs.4,000/- on him and there was no evidence to show that the said amount was earned out of sale of drugs. Even the petitioner was never involved in any other criminal activity and he may be released on bail.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that serious allegations have been levelled against the present petitioner and he does not deserve the concession of bail by this Court. However he could not dispute the factual submissions made by learned counsel for the petitioner.

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

5. In the present case, the petitioner is stated to be in custody since last more than one month and 15 days. Even otherwise no recovery of contraband was effected from the petitioner.

6.. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to his



furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

27.01.2025
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(N.S. SHEKHAWAT)
JUDGE

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