



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

214

CRM-M-7530-2025

Decided on :14.02.2025

Priyanka @ Priya

. . . Petitioner

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Sanjiv Kumar Aggarwal, Advocate for the petitioner.

Mr. P.K. Jhanda, DAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023, for grant of regular bail to the petitioner, who has been booked for having committed the offences punishable under Section 21(b) of NDPS Act, in FIR No. 344, dated 24.12.2024, registered at Police Station Chhachhrauli, District Yamuna Nagar, during the pendency of trial.

2. Learned counsel for the petitioner submits that petitioner being a woman, is falsely implicated in the present case and alleged recovery from the petitioner is of 20 gms of Heroin, which infact is non-commercial quantity. Petitioner is in custody since 24.12.2024 and nothing material is required to be recovered from her. Counsel contends that petitioner undertakes to remain present on each and every date of hearing before the trial Court for completion of proceedings at the earliest. Counsel also submits that except of present case, she is never found involved in any other similar activity, thus prays for grant of regular bail.

3. On the other hand, learned State counsel does not dispute any factual submissions addressed by the counsel and thus, same endorsed to be correct. However, submits that since investigation is still pending, petitioner



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be not released of bail until the investigation is over.

4. Considering the submissions addressed by counsel for the parties, and the fact that the alleged contraband recovered from the petitioner is of non-commercial quantity and petitioner being a woman and is first time offender, she cannot be kept behind bars for indefinite period because the circumstances under which the recovery has been effected is yet to be proved beyond the shadow of reasonable doubt.

However, considering the other facts also that the petitioner is in custody since 24.12.2024 and the culmination of trial is likely to take a considerable time, and no other case is registered against the petitioner under the provisions of NDPS Act, this Court allows the prayer made in the present petition. Petitioner is ordered to be released on bail in this case, subject to her furnishing bail/surety bonds to the satisfaction of the learned Trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

5. The observation made here-in-above shall not be construed as an expression on the merits of the case and the Trial Court shall decide the case on the basis of evidence available on record.

6. It is further made clear that if in future petitioner is found indulged in similar kind of activities, prosecution would be at liberty to seek cancellation of bail in the present case.

Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

February 14, 2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No