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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7110-2025 (O&M)
Date of decision: 06.02.2025

Mukhtiar Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

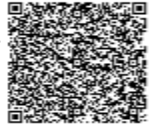
Present: Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.172 dated 15.11.2024 under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Section 29 of NDPS Act was added later on), registered at Police Station Sadar Jagraon, District Ludhiana.
2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner is a 72 years old household lady and she has been falsely implicated

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in the present case. Admittedly, nothing has been recovered from the conscious and exclusive possession of the petitioner. The alleged contraband has been recovered from co-accused and the petitioner has been nominated in the FIR (*supra*) only on the basis of disclosure statement of co-accused while he was in police custody, which has no evidentiary value in the eyes of law.

3. *Per contra*, learned State counsel appears on advance notice and opposes the prayer for grant of anticipatory bail to the petitioner on the ground that she is supplier of the alleged intoxicant tablets recovered from co-accused and she is running a racket and earlier also, she has been involved in three more cases under NDPS Act and one case under the Indian Penal Code, 1860 (for short 'IPC') and her custodial interrogation is required.

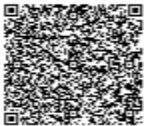
4. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

5. In view the facts and circumstances of the case, custodial interrogation of the petitioner is imperative to unearth the extent of the operation and earlier, she has been involved in three more cases under NDPS Act and one more case under IPC, this Court finds no ground to grant the concession of anticipatory bail to the petitioner.

6. Accordingly, present petition is dismissed.

7. However, nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and learned trial Court

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shall decide the case on its own merits without being prejudiced by the observations of this Court.

06.02.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No