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

CRM-M-7441-2025

Date of Decision:15.07.2025

KULWANT KAUR ALIAS BAGHAN

...PETITIONER

VS.

STATE OF PUNJAB

...RESPONDENT

Coram : Hon'ble Mr. Justice N.S.Shekhawat

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

Mr. I.P.S. Sabharwal, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the 3rd petition under Section 483 BNSS with a prayer to grant regular bail to her in case FIR No.181 dated 15.08.2023, registered under Sections 21, 22, 27 of NDPS Act (Section 29 of NDPS Act added later on vide GD No.10 dated 17.08.2023), Police Station Dharamkot, District Moga.

2. Learned counsel for the petitioner contends that in the present case, Satnam Singh and Teja Singh were arrested by the police, while they were carrying the commercial quantity of contraband in their conscious possession without any permit or licence. During the course of investigation, the accused suffered their respective disclosure statements and named the petitioner as their co-accused. However, after the arrest of the petitioner on 14.02.2024, no



recovery was effected from her. Learned counsel further submits that out of 14 witnesses, only 04 witnesses have been examined so far. Thus, the trial may not conclude in near future.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that 02 more FIRs were ordered to be registered against her. However, the petitioner is on bail in the said cases.

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

5. In the present case, apparently no recovery was effected from the petitioner and co-accused, Satnam Singh and Teja Singh have already been arrested by the police. Even otherwise the case of the petitioner is on different footings than Satnam Singh and Teja Singh. The police had not recovered anything from the present petitioner and she is stated to be in custody for the last about 01 year and 05 months. Thus, the further custody of the petitioner will not serve any useful purpose.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on her furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade her to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.



(iii) The petitioner shall not absent herself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender her passport, if any, (if already not surrendered), and in case she is not holder of the same, she shall swear an affidavit to that effect.

(v) The petitioner shall also file her affidavit before the concerned Court, mentioning her ordinary place of residence and number of mobile phone, which shall be used by her during the pendency of the trial. In case of change of place of residence/mobile number, he shall share the details with the concerned Court/learned Trial Court.

(vi) In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.

(vii) The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to her shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

15.07.2025
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(N.S. SHEKHAWAT)
JUDGE

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