



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

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CRM-M-10939-2025

Date of decision: May 1st, 2025

Ranjit Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Veneet Sharma, Advocate
for the petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of regular bail in FIR No.3 dated 03.01.2024 under Sections 21-B, 21-C, 27-A, 29 of the NDPS Act, 1985, registered at Police Station Chheharta, Amritsar City.

2. Learned counsel for the petitioner contends that the false implication of the petitioner in the present case is evident from the fact that although as per the case of the prosecution, a recovery of 300 grams heroin (100 grams from the spot and 200 grams pursuant to a disclosure statement was allegedly effected from the house of the petitioner), however, the recovery memos annexed as Annexures P-2 and P-3 reveal that they both do not even bear the signatures of the petitioner. It has been submitted that the petitioner has no previous criminal antecedents. The petitioner was merely standing on the road along with her son when the police party nabbed her on suspicion; her son co-accused Yodhbir Singh @ Yodha managed to escape, leaving the petitioner, who is a 52

year old woman alone. Thereafter, the aforesaid recoveries were purportedly effected from the petitioner. It has been submitted by the learned counsel for the petitioner that investigation in the present case is complete and charges stand framed on 06.07.2024, however, till date only one prosecution witness out of the eight has been examined, which makes it abundantly clear that the trial would take considerable time to conclude.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by the counsel opposite, has placed on record the custody certificate of the petitioner. Learned State counsel has not been able to dispute the custody period of the petitioner nor has he, on instructions, disputed that only one prosecution witness has been examined till date, even though charges were framed on 06.07.2024.

4. On a further pointed query, learned State counsel, on instructions, has also not been able to contest that the recovery memos (Annexures P-2 and P-3) with respect to the recovered contraband from the petitioner does not bear the signatures of the petitioner. On a further query, learned State counsel, on instructions, has also not been able to controvert that the petitioner has no previous criminal antecedents, however, it has been submitted that the petitioner's son, who escaped from the place of occurrence on spotting the police, has criminal antecedents as it is a matter of record that he is involved in one other case under the NDPS Act.

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

6. The petitioner has been in custody since 03.01.2024. The petitioner has no previous criminal antecedents, although her son,

who allegedly was accompanying her on the fateful day and who fled away on noticing the police party, is involved in another case under the NDPS Act apart from the present one.

7. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed and the petitioner be admitted to bail 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, the State would be at liberty to seek cancellation of the same.

May 1st, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No