

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

2025:PHHC:101478



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CRM-M-12854-2025 (O&M)
Date of decision:05.08.2025

Krishna @ Krishan Kaur

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Rahul Jaswal, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

...

Manisha Batra, J. (Oral).

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in case bearing FIR No. 693 dated 27.07.2023, registered under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') at Police Station Samalkha, Panipat.

2. Brief facts of the case relevant for the disposal of the present petition are that on 27.07.2023, on the basis of secret information, the petitioner along with three other co-accused was apprehended by a police party and recovery of 27 kgs. of ganja was effected from their join possession. They were formally arrested at the spot. After completion of necessary investigation and usual formalities, challan was presented before the Court and presently, the petitioner along with the co-accused is facing

trial for commission of aforementioned offence. She had filed an application for grant of regular bail but the same had been dismissed by the Court of learned Additional Sessions Judge, Panipat, vide order dated 21.10.2023.

3. Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case. Mandatory provisions of the NDPS Act were not followed by the police. The petitioner has clean antecedents and is not involved in any other case. Even otherwise, investigation stands completed and challan has been filed. Conclusion of trial is likely to take time as no prosecution witness has been examined so far. The petitioner is in custody since 27.07.2023. No useful purpose would be served by keeping her in custody anymore. Similarly situated co-accused Chindo @ Surinder Kaur, Sarita and Gurdeep Kaur@ Deepo have been granted concession of regular bail by this Court, vide orders dated 21.05.2025, 25.02.2025 and 25.07,2025 in CRM-M-51849-2024, CRM-M-50568-2024 and CRM-M-715-2025 respectively. On the grounds of parity, the petitioner too deserves the same benefit. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Custody certificate of the petitioner has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Punjab has argued that keeping in view the gravity of the allegations, the petitioner is not entitled to get benefit of bail. It is, thus, argued that the petition is liable to be dismissed.

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

6. The petitioner is in custody since 27.07.2023. She has clean antecedents. Similarly situated co-accused Chindo @ Surinder Kaur, Sarita and Gurdeep Kaur @ Deepo have already been granted concession of regular bail by this Court, as mentioned above. Investigation has since been completed and challan has been filed. However, no prosecution witness has been examined so far, which means that the trial is substantially delayed. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is, however, clarified that any observations made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

05.08.2025

harjeet

(MANISHA BATRA)
JUDGE

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