



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-14467-2025
Decided on : 21.03.2025

AMANDEEP KAUR

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Roja Agnihotri, Advocate,
for the petitioner.

Mr. Jasdeep Singh, DAG, Punjab,
assisted by

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Amandeep Kaur	105	27.06.2019	21, 29 of NDPS Act (Section 27-A/32/62/61/85 of NDPS Act added later on)	Chheharta Police Commissionerate	Amritsar

2. Learned counsel for the petitioner contends that neither the name of the petitioner is mentioned in the FIR, nor any contraband has been recovered from her possession. Petitioner is involved in the present case, only on the basis of the disclosure statement of main accused – Karan, from whose possession, 5 grams of heroin, which is a small quantity, was recovered.



Further submits that as per the allegations, the recovered contraband was supplied by one Paramvir Singh @ Pamma, but as per the disclosed facts by main accused namely Karan, earlier, he used to receive such contraband from the petitioner.

Counsel for the petitioner also submits that prosecution cannot build up its case on the basis of such a weak evidence, and there being no other connecting evidence, petitioner cannot be kept behind the bars for an indefinite period.

She also submits that earlier, the petitioner was granted concession of bail by learned trial Court on 15.01.2020, and thereafter, the said bail order was cancelled on 04.01.2023, on account of absence of the petitioner from the Court. Thus, on 29.04.2023, petitioner was declared as proclaimed offender. Thereafter, she was arrested again on 04.01.2024, and since then, petitioner is inside jail. Even if the petitioner is convicted at the end of the trial, sentence period mentioned under the Act, has already been completed by her.

Thus, prays for grant of regular bail to the petitioner.

3. On advance notice and in response to the arguments addressed by learned counsel for the petitioner, learned State counsel, submits that accused, who has already taken undue advantage of the concession of bail order, does not deserve any sympathy. Therefore, prayer made by the petitioner should not be accepted. However, he is unable to dispute the factual aspects as submitted by learned counsel for the petitioner today before this Court.

5. After hearing learned counsel for the parties and perusing the relevant material on record with their able assistance, this Court finds that since 04.01.2024, i.e. for a period of more than a year, petitioner is already inside jail after being re-arrested, and process of recording of the prosecution witnesses has not been completed, this Court deems it appropriate to grant the concession of bail to the petitioner.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, 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.

- 8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.
- 9. The observation made hereinabove shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.
- 10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.
- 11. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

21.03.2025
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO