

110

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

**CRM-M-16612-2025 (O&M)
Date of decision: 26.03.2025**

Karamveer Kaur @ Kiran

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. A.S. Brar, Advocate
for the petitioner.

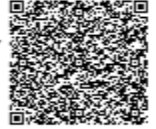
Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition is preferred under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*erstwhile Section 438 of the Code of Criminal Procedure, 1973*) seeking anticipatory bail in FIR No.15 dated 27.02.2025 under Sections 21, 27B, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and Section 111(1) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station Smalsar, District Moga.

2. Briefly, the facts of the case are that on 27.02.2025, ASI Kuldeep

2025:PHHC:041247

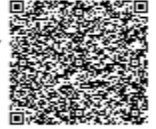


Singh along with other police officials was on patrolling duty in the area of Village Smalsar, Sekha Kalan, Vairoke etc. and at about 05.27 p.m., he was present in Smalsar area and was proceedings towards Sekha Kalan, they saw a young man sitting on the path along with the canal bank and on seeing the police party, he became perplexed and tried to flee and thrown a transparent polythene packet, from which heroin was easily seen, from the right pocket of his lower. Thereafter, he was apprehended and disclosed his name as Gurpreet Singh @ Gopi. After completing all the formalities prescribed under the provisions of NDPS Act, recovery of currency notes of Rs.4,000/- and 10 grams of heroin was effected.

3. Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been falsely implicated in the present case with the aid of Section 29 of NDPS Act. The recovery of 10 grams of heroin was effected from the conscious and exclusive possession of co-accused, to whom, the petitioner is not known and nothing has been recovered from her. As such, she is entitled to the concession of anticipatory bail.

4. *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 the petitioner is habitual offender and she is involved in two more cases registered under NDPS Act i.e. FIR No.32 dated 04.04.2023 under Sections 21, 22 & 29 of NDPS Act, registered at Police Station Sadar Moga, District Moga

2025:PHHC:041247



and FIR No.92 dated 17.04.2023 under Sections 21 & 22 of NDPS Act, registered at Police Station City Moga.

5. In rebuttal, learned counsel for the petitioner submits that the petitioner is on bail in aforesaid cases.

6. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the petitioner is habitual offender and is involved in two more cases under NDPS Act. As such, custodial interrogation of the petitioner is imperative to ascertain the supply chain of the contraband recovered from co-accused, as there is every possibility that recovery of alleged contraband can be effected from her.

7. Keeping in view the facts and circumstances of the case, without commenting anything further on merits of the case, lest it may prejudice the rights of either of the parties, this Court finds no ground to grant the concession of anticipatory bail to the petitioner.

8. Accordingly, the present petition is dismissed.

[HARPREET SINGH BRAR]
JUDGE

26.03.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No