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

**CRM-M-17560-2025
Date of Decision:04.04.2025**

POOJA

...PETITIONER

VS.

STATE OF HARYANA

...RESPONDENT

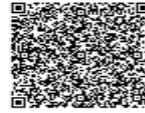
Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. S.K. Verma, Advocate
for the petitioner.

Mr. Rupinder Singh Jhand, Addl. A.G., Haryana.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 483 of BNSS. with a prayer to grant regular bail to her in case FIR No.138 dated 31.05.2021, registered under Sections 21 & 27-A of the NDPS Act, 1985, Police Station City Narwana, District Jind.
2. Learned counsel for the petitioner submits that in the present case, 30 grams of heroin was recovered from Pinni, co-accused. As per the case set up by the prosecution, the petitioner was not present at the spot nor had any concern with the recovery effected from Pinni, co-accused. He further relies upon the order Annexure P-2 to contend that Pinni, main accused has been



granted the concession of regular bail by the Court of Additional Sessions Judge, Jind on 12.07.2023. The petitioner was arrested in the present case on 31.01.2025 and is in custody since then. He next contends that the challan has already presented against her and further custody of the petitioner may not serve any useful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that the petitioner is involved in two more cases under the provisions of NDPS Act and does not deserve the concession of bail by this Court.

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

5. No doubt the petitioner is found involved in 02 other criminal cases, but the same is not the ground to deny the concession of bail to the petitioner, specially when she has been able to make out a case for grant of bail in the peculiar facts and circumstances of the present case. Reliance can also be placed in the matter of ***Prabhakar Tewari Vs. State of U.P., and another 2020(1) R.C.R. (Criminal) 831*** in which the Hon'ble Supreme Court has held that the pendency of several criminal cases against the accused cannot be the basis to refuse the prayer of bail. Similar observations have been made by the Hon'ble Supreme Court in the matter of ***Maulana Mohd. Amir Rashadi Vs. State of U.P., and another 2012(1) R.C.R. (Criminal) 586***.

6. The petitioner was arrested in the present case on 31.01.2025 and is in custody for the last more than two months. Since the main accused has already been ordered to be released on bail, further custody of the petitioner will not serve any useful purpose.



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

04.04.2025
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(N.S. SHEKHAWAT)
JUDGE

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