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

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**CRM-M-24483-2025 (O&M)
Date of decision: 02.08.2025**

Achhra Devi @ Ichra Devi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. L. S. Sekhon, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

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. 55 dated 13.03.2025, registered under Sections 15 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Bhawanigarh, District Sangrur.
2. Brief facts of the case relevant for the disposal of the present petition are that on 13.03.2025, the petitioner was apprehended by a police party and recovery of 02 kgs. of poppy husk was effected from her. Since she could not produce any license or permit to keep in her possession the recovered contraband, she was formally arrested at the spot. After completion of necessary investigation and usual formalities, *challan* was presented before the Court and presently, the petitioner is facing trial for commission of aforementioned offences.
3. Learned counsel for the petitioner has argued that the petitioner has

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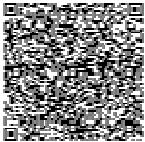
been falsely implicated in this case. She is in fact aged about 63 years and is suffering from various age related diseases. Mandatory provisions of the NDPS Act were not complied with. No independent witness was joined. Quantity of the recovered contraband does not fall under commercial quantity. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. The petitioner is in custody since 13.03.2025. No useful purpose would be served by keeping her in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioner as well as her criminal antecedents, she is not entitled to get benefit of bail. It is also argued that if the petitioner is released on bail, she can abscond or indulge in similar offences. 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 was nabbed at the spot and recovery of 02 kgs. of poppy husk was effected from her. Although, the said quantity does not all under commercial one but a perusal of the status report and her custody certificate reveals that she has been convicted in two cases under the NDPS Act, whereas in three cases, she is facing trial, out of which two cases have been registered under the NDPS Act. It goes to show that the petitioner is a habitual offender. Hence, the apprehension expressed by learned State counsel that the petitioner, if extended benefit of bail, may abscond or indulge in similar

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offences cannot be stated to be unfounded. Investigation has since completed and challan has been filed. Trial is going on and there is nothing on record to show that there would be any undue delay in conclusion of the same. Keeping in view the discussion as made above, I am of the considered opinion that the petitioner does not deserve to be granted benefit of regular bail, at this stage. Hence, the petition is dismissed.

7. It is made clear that the observations made hereinabove are only for the purpose of deciding the present petition and the same shall not be construed as an expression of opinion on the merits of the case.

02.08.2025

Wasim Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No