



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

229-1

1)

CRM-M-25152-2025
Decided on : 17.07.2025

Nisha Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

2)

CRM-M-33156-2025

Gurpreet Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Akshay Bansal, Advocate,
for the petitioner(s) (in CRM-M-25152-2025).

Mr. Sukhcharan Singh Gill, Advocate
for the petitioner(s) (in CRM-M-33156-2025).

Mr. Neeraj Madaan, Sr. DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. This order shall dispose of CRM-M-25152-2025 & CRM-M-33156-2025, as both the petitions are interconnected and have arisen out of same FIR. However, the lead case is CRM-M-25152-2025.

2. The instant petitions have been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioners, during the pendency of trial, who have 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
Nisha Kaur (petitioner in CRM-M-25152-2025)	0002	07.01.2025	22/29/61/85 of NDPS Act, 1985	Sadar Sangrur	Sangur
Gurpreet Singh					

(petitioner in CRM-M-33156- 2025)					
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3. A few facts necessary for adjudication of the cases may be noticed.

While conducting crime patrolling, the police team noticed the main accused – Navjosh Singh @ Joshi. On seeing the police party, he got perplexed and attempted to flee. He was holding a polythene envelope in his left hand, which he threw while trying to turn the motorcycle. However, in doing so, he slipped and was apprehended on the spot. Upon checking the said polythene envelope, recovery of 1500 tablets of Tramadol was effected. Following his arrest and registration of FIR, he made a disclosure statement, wherein he stated that petitioner – Gurpreet Singh (in CRM-M-33156-2025) was the supplier of the recovered tablets. Consequently, Gurpreet Singh was arrested on 09.01.2025. As per submissions made by learned State counsel, no recovery was effected from Gurpreet Singh, nor was he found involved in any other case under the NDPS Act.

Thereafter, on the basis of another disclosure statement made by Gurpreet Singh, name of the petitioner – Nisha Kaur (in CRM-M-25152-2025) surfaced as another alleged supplier of the contraband already recovered. She was arrested on 06.03.2025, and based on her disclosure statement, another co-accused – Himanshu Bharti @ Lucky was also apprehended.

4. During the course of hearing, learned State counsel points out that the motorcycle bearing registration No. PB11-CP-2794, which was being ridden by the main accused – Navjosh Singh @ Joshi, is registered in the name of Kamaldeep Singh, who is the real brother of accused – Navjosh

Singh @ Joshi and the husband of petitioner – Nisha Kaur.

5. Counsel for petitioner – Nisha Kaur submits that no recovery was effected from her at the time of arrest, nor is she found involved in any other similar activity. It is argued that she has been falsely implicated due to her relation with Kamaldeep Singh (husband) and Navjosh Singh @ Joshi (brother-in-law), both of whom are co-accused in the case. It is further submitted that petitioner – Nisha Kaur is a woman with two minor sons, aged about 6 years and 3 years, respectively, and is the only one to look after them. Therefore, keeping her behind bars serves no fruitful purpose. Hence, prayer for grant of regular bail is made on her behalf.

6. Similarly, since nothing has been recovered from petitioner – Gurpreet Singh, and he is not involved in any other case under the NDPS Act, his counsel prays for grant of regular bail on the same grounds.

7. On the other hand, learned State counsel files separate status reports dated 15.07.2025 in both cases and custody certificate dated 16.07.2025 (in CRM-M-25152-2025) in both the cases. Same are taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Copies thereof have been handed over to the respective counsel for the petitioners.

8. Learned State counsel, while opposing the bail, submits that as per custody certificate, petitioner – Nisha Kaur has remained in custody for 4 months and 6 days till date. Similar is the position of petitioner – Gurpreet Singh. However, learned State counsel does not dispute the factual submissions made by petitioners' counsel. It is also conceded that out of the 22 prosecution witnesses cited, none has been examined so far.

9. Heard.

10. Considering the circumstances in its entirety, and submissions addressed by counsel for both the sides, this Court does not find any reason to decline the plea of bail to the petitioners, having been raised by them through present petitions, particularly when it is evident that the trial proceedings are currently at a halt, as even the examination of prosecution witnesses has not commenced, and therefore, conclusion of trial is likely to take considerable time. Moreover, it is not the case of the prosecution that further recovery is to be effected from the petitioners, as the investigation has already been completed and the challan has been presented. Therefore, liberty of the petitioners cannot be curtailed for an indefinite period

11. Consequently, prayer made in the present petitions are **allowed**. Petitioners are ordered to be released on bail, subject to their 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.

12. Needless to observe that the petitioners shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

13. The observation made here-in-above 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.

Petitions stand disposed of.

(SANJAY VASHISTH)
JUDGE

July 17, 2025

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No