



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

112

CRM-M-26016-2025

Date of decision: May 13th, 2025

Neetu

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harnoor Singh, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

Petitioner is seeking the concession of anticipatory bail in FIR No.48 dated 03.05.2025 under Sections 20, 29 of the NDPS Act registered at Police Station Maloya, U.T. Chandigarh.

2. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR (Annexure P-1) and is innocent. As per the case of the prosecution, the petitioner, along with her husband, was intercepted by the police on suspicion, while she was allegedly in possession of a bag containing 9.324 kilograms of *ganja*. It is stated that while her husband was apprehended at the spot, the petitioner managed to flee, leaving the bag behind. Subsequently, the husband disclosed the identity of the person, who fled, as his wife-the present petitioner.

3. It is argued by the learned counsel that the version put forth by the prosecution is highly improbable and lacks credibility. Furthermore, it is contended that the contraband was not recovered from the conscious possession of the petitioner and that the recovered

quantity falls within the category of an intermediary quantity. Learned counsel also submits that the petitioner, being a woman, is willing to cooperate with the investigation and undertakes to join the same.

4. Notice of motion.

5. Mr. Manish Bansal, Public Prosecutor, assisted by Ms. Diksha Sharma, Advocate, accepts notice on behalf of the respondent.

6. Learned standing counsel for the U.T. has vehemently opposed the prayer and submissions made by the counsel opposite. Learned standing counsel for the U.T. submits that the petitioner is a habitual offender, having previously been involved in cases under the NDPS Act. It is submitted that she has already been convicted in one such case, is facing trial in another, and the present case marks the third instance of her involvement under the NDPS Act.

7. Learned standing counsel for U.T. contends that the petitioner has clearly misused the concession of bail granted to her in the previous case and is likely to be involved yet again in some other criminal case, if released again on bail. Given the gravity of the offence and the widespread menace of drug trafficking, it is argued that her custodial interrogation is essential to unearth her possible links to a larger narcotics network.

8. I have heard learned counsel for the parties and perused the relevant material on record.

9. Upon perusal of the record and after considering the rival submissions, there is *prima facie* sufficient material to indicate that the petitioner is a habitual offender and has previously availed the concession of bail, which she appears to have misused. Although the

petitioner was not apprehended at the scene of the alleged offence, her co-accused, who is also her husband, is stated to have identified her as the individual, who had fled from the spot, leaving the contraband behind.

10. In the facts and circumstances as enumerated hereinabove, this Court concurs with the submissions made by the learned standing counsel for U.T. that the custodial interrogation of the petitioner is warranted to further the investigation and to probe any possible connections with organised drug trafficking.

11. Accordingly, the instant petition stands dismissed.

12. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

May 13th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No