

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

2025:PHHC:075866



CRM-M-32114-2025

Date of decision: 11.06.2025

SUMAN

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aakash Juneja, Advocate (through v.c.)
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

ANIL KSHETARPAL, J(Oral)

1. This is the petitioner's 2nd petition for grant of pre-arrest bail.
2. The first petition was dismissed on 14.05.2025 with the following order:-

"The present petition has been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking anticipatory bail in case bearing FIR No.13 dated 30.01.2025 under Section 21(b) of NDPS Act (Section 29 of the NDPS Act added later on) registered at Police Station Bahu Akbarpur, District Rohtak.

The FIR (supra) was registered on the basis of secret information that Kamalkant will go to Meham in a rented vehicle bearing registration No. HR24AH-6957 through Rohtak with heroin and if raid is conducted, he could be apprehended with narcotic substance and the information was found credible and correct and the accused-Kamalkant was apprehended with 50 grams 91 milligram of heroin, on the basis of the alleged recovery, the FIR (supra) was registered.

Learned counsel for the petitioner inter alia contends that admittedly, the contraband was recovered from the conscious and exclusive possession of the co-accused-Kamalkant and the petitioner was not named in the FIR (supra) and nothing was recovered from the petitioner. Further, she has been nominated on the basis of disclosure statement made by co-accused while in police custody which has no evidentiary value in the eyes of law. There is no other evidence to connect the petitioner with the alleged recovery.



Per contra, the learned State counsel opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner is the supplier of the heroin purchased by the co-accused for Rs.30,000/- and she is also involved in one more case under the NDPS Act. As such, the custodial interrogation of the petitioner is required to ascertain the supply chain and the modus operandi adopted by her in selling the heroin to other drug peddlers.

Having heard learned counsel for the parties and keeping in view the allegations against the petitioner, custodial interrogation of the petitioner is required and therefore, no ground is made out to grant anticipatory bail to the petitioner and thus, the present petition is hereby dismissed.”

3. Learned counsel for the petitioner submits that the petitioner has been diagnosed with fibroid in her uterus.

4. This Court has considered the submissions of learned counsel for the petitioner, however, it cannot be treated as a fresh ground for grant of pre-arrest bail.

5. Hence, dismissed.

June 11th, 2025

Ayub

**(ANIL KSHETARPAL)
JUDGE**

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