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

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CRM-M-36094-2025 (O&M)
Date of decision: 22.07.2025

Rajni @ Rajni Devi**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Manoj R. Sharma, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in case bearing FIR No. 76 dated 19.04.2025, registered under Sections 21(b), 27(a) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Dinanagar, District Gurdaspur.

2. Brief facts of the case relevant for the disposal of the present petition are that on 19.04.2025, co-accused Arjan was apprehended by a police party headed by ASI Ramesh Kumar and recovery of 07 grams of heroin and drug money of Rs.2,000/- was effected from him. On interrogation, he disclosed that the recovered contraband was purchased by him from the present petitioner. On the basis of the same, the petitioner was nominated in this case as an accused and was arrested on 30.04.2025. Recovery of 06 grams of heroin and drug money of Rs. 11,300/- was

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effected from him.

3. Learned counsel for the petitioner has argued that she has been falsely implicated in this case. The alleged recovery was in fact planted upon her. She is not involved in any other case criminal case and has clean antecedents. Investigation is still pending. The petitioner is in custody since 30.04.2025. 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. Custody certificate of the petitioner has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations, the petitioner is not entitled to get benefit of bail. Hence, it is urged 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 has been nominated in this case on the basis of the above named co-accused as supplier of the contraband which was recovered from him. After arrest of the petitioner, recovery of 06 grams of heroin is stated to have been effected from her. The quantity of the contraband recovered from the petitioner or from the co-accused does not fall under commercial quantity. The petitioner is in custody since 30.04.2025. She is not involved in any other case and has clean antecedents. The investigation is still going on. Hence, its completion and filing of challan and thereafter conclusion of trial would take time. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody

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anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

22.07.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No