



CRM-M-43474-2025

1

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

211

**CRM-M-43474-2025
Decided on :29.08.2025**

Ranjana

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Gaurav Partap Singh Pathania, Advocate
for the petitioner.

Mr. Jasdeep Singh, Addl. A.G., Punjab.

SANJAY VASHISTH, J. (Oral)

1. Petitioner Ranjana, aged 49 years, has filed present petition under Section 483 of the BNSS, seeking regular bail in case FIR No. 22 dated 15.02.2023, registered under Section 21 of the NDPS Act (with Sections 29 and 61 of the NDPS Act added subsequently), at Police Station Sujjanpur, District Pathankot.

2. Learned counsel for the petitioner contends that prime accused in the present case is one Shekhar, from whom 300 grams of heroin was allegedly recovered. It is submitted that petitioner's name surfaced only after the registration of the FIR and subsequent arrest of the said accused, through his disclosure statement, wherein it was alleged

**CRM-M-43474-2025****2**

that petitioner was the supplier of the said contraband. Learned counsel further submits that main accused, Shekhar, has already been granted the concession of bail by a co-ordinate Bench of this Court vide order dated 26.09.2024 passed in CRM-M-47263-2024 (P-2).

Extending the submission, counsel for the petitioner argues that upon her arrest, no narcotic substance or contraband was recovered from her possession. It is further submitted that the sole basis of implication of the petitioner is the disclosure statement of a co-accused, which is inadmissible in evidence as per settled principles of law, and thus, her continued incarceration would be unduly harsh and unjustified.

Counsel further submits that petitioner has already suffered incarceration inside jail for a period of approximately 2 years, 5 months, and 16 days and burden would be heavily upon the prosecution to prove the allegations against the petitioner during trial. There are total 10 prosecution witnesses and only 05 have been examined, beside giving up of 01 witness. Four of the witnesses are yet to be examined. Thus, submits that culmination of trial is likely to take considerable time, therefore, prays for grant of regular bail.

3. On the other hand, learned State counsel has filed custody certificate of the petitioner and confirms that she has remained in incarceration for a period of 2 years, 5 months, and 16 days. However, referring to the said custody certificate, learned State counsel submits that petitioner is a habitual offender and is involved in more than 40 cases registered under the Excise Act, in addition to one other case under

**CRM-M-43474-2025****3**

the provisions of NDPS Act. In view of the antecedents of petitioner, learned State counsel prays for dismissal of present petition.

4. Be that as it may, considering that main accused, namely Shekhar, from whom 300 grams of heroin was recovered, has already been released on bail by the co-ordinate Bench of this court, and no contraband has been recovered from the petitioner, coupled with the fact that petitioner has already undergone incarceration for a period of 2 years, 5 months, and 16 days, this Court does not find any substantial reason to detain the petitioner any longer in custody. Further, implication of the petitioner is primarily based on the disclosure statement of the co-accused, which, in accordance with settled legal principles, is an inadmissible evidence in the case. Moreover, the prosecution has yet to examine the remaining witnesses, and the trial is likely to take considerable time for its conclusion. In view of the totality of the circumstances, this Court is of the considered opinion that a case for grant of bail is made out.

5. Consequently, prayer made in the present petition is allowed. Petitioner is ordered to be released on bail, subject to her 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.

6. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an



CRM-M-43474-2025

4

independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

7. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

29.08.2025

Rashmi

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