

2025:PHHC:063367



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

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CRM-M-43733-2024

Date of decision: May 13, 2025

DROPATI DEVI

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sahil Vashishat, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
With ASI Ram Sarup.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 483 of BNSS, 2023 for grant of regular bail to the petitioner in case FIR No.244 dated 08.09.2012 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Focal Point, District Ludhiana.

2. It has been submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case; no recovery, as alleged, was found from the person of the petitioner. It has still further been submitted that the petitioner has been in custody since 14.10.2023 and the possibility of the trial concluding in the near future seems remote as charges have not yet been framed even though challan was presented on 12.03.2025.

3. *Per contra*, learned State counsel, while opposing the prayer and submissions made by learned counsel for the petitioner, has submitted that the petitioner was initially arrested on the day of the registration of the



FIR itself i.e. 08.09.2012, and thereafter, a recovery of 250 grams of *charas* was effected after due compliance of the mandatory provisions of the NDPS Act. Two other co-accused, from whom a recovery of 2 kgs 400 grams of *charas* was effected.

4. Learned State counsel, on instructions, has submitted that after being arrested, the petitioner was enlarged on bail, however, she absconded, as a result of which, she remained a 'proclaimed offender' for as long as 9 years and was rearrested only on 14.10.2023. It has also been submitted, on instructions, that during the time when the petitioner absconded, she was booked in another case under the NDPS Act in the State of Bihar. However, in the said case, she was subsequently acquitted.

5. Learned State counsel has also pointed out, on instructions, that the two co-accused namely Muhammad Feroze and Pramod Roy @ Brahman, who too were nabbed on suspicion along with the petitioner, faced trial and have since been convicted. Learned State counsel asserts that in the aforementioned facts and circumstances, the petitioner has to blame herself for the delay in the trial and in case she is enlarged on bail at this stage, there is a genuine apprehension that she could yet again abscond, leading to further delay in the trial.

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

7. No doubt the FIR dates back to the year 2012, however, it is also a matter of record that the petitioner absconded after she was extended



the concession of bail and was thereafter declared a 'proclaimed offender', and it was only on 14.10.2023 that she was rearrested.

8. This Court concurs with the submissions made by the learned State counsel that in case the petitioner is enlarged on bail, she could yet again abscond or be involved in some other case under the NDPS Act. Learned State counsel submits that in all likelihood, charges against the petitioner would be framed before the learned trial Court today, and once the charges are framed, the trial would not take much time to conclude.

9. In view of the foregoing, this Court does not deem it fit to extend the concession of regular bail to the petitioner.

10. Accordingly, the instant petition stands dismissed.

11. 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 13, 2025
Jaspreet Kaur

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*