

2025:PHHC:152346



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

1. CRM-M-40847-2025 (O&M)

Jyoti ...Petitioner

Versus

State of Punjab ...Respondent

2. CRM-M-27179-2025 (O&M)

Ranjit Kumar ...Petitioner

Versus

State of Punjab ...Respondent

Reserved on : 04.11.2025
Pronounced on : 06.11.2025

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner in CRM-M-40847-2025.

Mr. Aditya Anand, Advocate
for the petitioner in CRM-M-27179-2025.

Ms. Sakshi Bakshi, AAG, Punjab.

MANISHA BATRA, J.

1. This common order shall dispose of above mentioned two petitions as they arise out of the same FIR and seek similar relief.
2. Prayer in these petitions, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioners in FIR No. 38 dated 01.03.2025, registered under Sections 21(c), 27-A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short* 'NDPS

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Act’) at Police Station Chheharta, District Amritsar.

3. Brief facts of the case relevant for the disposal of the present petition are that on 01.03.2025, a police party headed by ASI Tejvir Singh was present at Nakhaan Wale Bagh near Chheharta bypass, when two persons were found having conversation with each other. One of them was carrying a polythene envelope in his hand. On noticing the police party, they tried to escape but were apprehended. They disclosed their names as ‘Amandeep Singh @ Sonu’ and ‘Pawan Kumar @ Gora’. On opening the envelope, 265 grams of heroin was found to be kept in the same, which was taken into possession.

4. As per the further allegations, during investigation both the above named co-accused suffered disclosure statements that they had purchased the recovered contraband from the petitioner Jyoti and also that the contraband recovered from them was to be purchased by petitioner Ranjit Kumar and Simranjit Singh and they had to further sell the same to Harman Singh. On the basis of the same, the petitioners along with Simranjit Singh and Harnam Singh were nominated in this case as accused. Petitioner Ranjit Kumar was arrested on 02.03.2025, whereas petitioner Jyoti was arrested on 03.03.2025. They suffered disclosure statements admitting their involvement in the subject crime. Recovery of 65 grams of heroin and drug money of Rs.4400/- was effected from the residential house of petitioner Jyoti, whereas at the instance of petitioner Ranjit Kumar and Simranjit Singh, recovery of 100 grams of heroin was effected. Investigation now stands completed and challan has been filed.

5. It is argued by learned counsel for the petitioners that they have been falsely implicated in this case on the basis of the disclosure statements

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suffered by above named co-accused, which cannot be considered to be admissible in evidence against them. False recoveries have been planted on them subsequently. Even otherwise, investigation stands completed and *challan* has been filed. Conclusion of trial is likely to take time. Petitioner Ranjit Kumar has clean antecedents. Although petitioner Jyoti is shown to be involved in some other cases but she is on bail in those cases. The petitioners are in custody since long. No useful purpose would be served by keeping them in custody anymore. Co-accused Harnam Singh has already been granted concession of regular bail by this Court. Therefore, it is urged that the petitions deserve to be allowed and the petitioners deserve to be released on regular bail.

6. Separate status reports along with the custody certificate of the petitioners have been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations levelled against the petitioners, they are not entitled to get benefit of bail. It is, thus, argued that the petitions are liable to be dismissed.

7. This Court has heard the submissions made by both the sides.

8. The petitioners have been nominated in this case on the basis of the disclosure statements suffered by above named co-accused, who were apprehended at the spot and from whom, recovery of 265 grams of heroin was effected. As per the allegations, recovery 65 grams and 100 grams of heroin, respectively, is shown to have been subsequently effected at the instance of the petitioners but the same does not fall under commercial quantity. The petitioners are in custody for the last about nine months. Petitioner Ranjit Kumar has clean antecedents. Petitioner Jyoti is shown to be involved in some other cases as well but she is on bail in those cases. Investigation has since

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been completed and *challan* has been presented. Conclusion of trial would obviously take considerable time. Co-accused Harnam Singh, who was implicated on the allegations of being a prospective buyer of the contraband, has been granted concession of bail by this Court. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that no useful purpose would be served by keeping the petitioners in custody anymore. Accordingly, the present petitions are allowed. The petitioners are ordered to be released on regular bail, subject to their 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 petitioners are found involved in any other subsequent case.

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

10. Let a photocopy of this order be placed on the file of the connected case.

06.11.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No