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

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CRM-M-42069-2025 (O&M)
Date of decision: 24.09.2025

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

Present:- Mr. Hakam Singh, Advocate,
Mr. Simranjit Singh Boparai, Advocate and
Mr. Ajay Singh Virk, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 108 dated 27.06.2025, registered under Sections 21-C and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Section 25 of the Arms Act, 1959 at Police Station Dugri, District Ludhiana.

2. Brief facts of the case relevant for the disposal of the present petition are that on 27.06.2025, on the basis of a secret information, co-accused Gaurav Singh, Sahil Malik and Nikhil Sharma were apprehended by a police party and recovery of 268 grams of heroin, three country made pistol of .32 bore, one pistol of .45 bore, six live cartridges of .32 bore and three live cartridges of .45 bore was effected from them. All of them were formally arrested at the spot. On interrogation, co-accused Sahil Malik and

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Nikhil Sharma disclosed that the recovered contraband had been supplied to them by one Sumit Kumar @ Kaddu and his sister Sanjana, who is the present petitioner. On the basis of the same, they were nominated in this case as accused. The petitioner was arrested on 28.06.2025 while coming in a car make Mahindra Thar and recovery of 60 grams of heroin was effected from her. Since the said car was found to be registered in the name of her husband Gagandeep Singh, he was also nominated in this case as an accused. Investigation is still going on. The petitioner had moved an application before the Court of learned Judge, Special Court, Ludhiana for grant of regular bail but the same had been dismissed, vide order dated 25.07.2025.

3. Learned counsel for the petitioner has submitted that she has been falsely implicated in this case. She was neither named in the FIR nor was found at the spot. She has been nominated in this case on the basis of the disclosure statement suffered by the above named co-accused, which cannot be considered to be admissible in evidence. In fact, the alleged recovered contraband was planted on her. She is not involved in any other case and has clean antecedents. Even otherwise, the quantity of the contraband allegedly recovered from her does not fall under commercial quantity, being 60 grams. The petitioner is in judicial custody since 28.06.2025. Trial will take time as even investigation is still pending. No useful purpose would be served by keeping the petitioner 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. Status report has been filed by the respondent-State. Learned State counsel has argued that keeping in view the gravity of the allegations

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levelled against the petitioner, she 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 on the basis of the disclosure statement suffered by above named co-accused. She is not shown to be involved in any other case and has clean antecedents. She is in custody since 28.06.2025. The quantity of the contraband allegedly recovered from her does not fall under commercial quantity. Investigation is still pending, which means it will take time for presentation of *challan* and then in conclusion of trial. Keeping in view the aforesaid facts, I am of the considered opinion that no useful purpose would be served by keeping the petitioner in custody 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.

24.09.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No