



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

216

CRM-M-43003-2025

Date of decision: 28th November, 2025

Aarti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The instant one is the second petition for grant of regular bail as filed by the petitioner in case arising out of FIR No. 61 dated 25.06.2024 registered under Section 22 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short '*NDPS Act*') at Police Station Lambran, District Jalandhar Rural. Her previous petition bearing CRM-M-54100-2024 had been dismissed by this Court vide order dated 12.03.2025.

2. Learned counsel for the petitioner has argued that she is in custody since 25.06.2024. Ever since the date of disposal of the previous petition, a period of more than five months has been elapsed. The trial is not progressing, as only two out of eight prosecution witnesses have been examined so far. The extended period of her incarceration is a new and substantive ground for making the prayer for grant of bail. It is, therefore, argued that the petition deserves to be allowed.



3. *Per contra*, learned State counsel has argued that there are serious and specific allegations against the petitioner. Her previous petition had been dismissed on merits by passing a detailed order. This petition has been filed merely within five months from the date of dismissal of the same. No substantive ground has been made out for allowing this petition. It is, therefore, argued that the same is liable to be dismissed.

4. This Court has heard learned counsel for the parties at considerable length.

5. No doubt, period of incarceration is a relevant factor to be considered while deciding a bail petition and an accused has also a right to move successive applications for grant of bail. Simultaneously, it is duty of the Court while entertaining a subsequent bail application to consider the reasons and grounds on which the previous petition was rejected. The fresh grounds which persuade the Court to take a few different from the one taken in the earlier application are also required to be recorded. In the instant case, the petitioner is alleged to be found in conscious possession of commercial quantity of contraband. The twin conditions under Section 37 of NDPS Act are to be satisfied. Her previous petition had been dismissed by passing detailed order. As of now, two out of eight prosecution witnesses stand examined. So, it cannot be stated that there would be any undue delay in conclusion of the trial or it will continue for any indefinite period of time. Gravity of the allegations is also an important factor for deciding a bail petition. Taking into consideration the above discussed facts, this Court is of the considered opinion that no new or substantive ground for grant of benefit of bail to the petitioner has been made out. Accordingly, the petition is



dismissed.

6. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

28th November, 2025

Parveen Sharma

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |