



CRM-M No.50725 of 2025 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.50725 of 2025 (O&M)

Reserved on: 14.10.2025

Pronounced on: 27.10.2025

Suman

.....Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR.JUSTICE SURYA PARTAP SINGH

Present: Mr. Rahul Sidher, Advocate for the petitioner
(through video conferencing).

Ms. Deepali Verma, AAG, Haryana.

SURYA PARTAP SINGH, J. (Oral):

For the commission of offence punishable under Section 20(B), 21(A)/61/85 of NDPS, FIR No.353 dated 14.10.2024, has been lodged in Police Station Civil Line Jind, District Jind. The petitioner has been arrested in the above mentioned case as an accused. Since the petitioner is in custody, he has filed the present petition for the benefit of bail. This is first petition under Section 483 of BNSS for grant of bail.

2. In nut-shell, the facts emerging from the record are that the FIR of this case came into being when on the basis of a tip-off given by an informant, Ankit son of Anup was apprehended and from his possession 435 grams of *charas* was recovered. It is the case of the prosecution that on recovery of above mentioned contraband, the necessary formalities with regard to seizure, sampling and arrest of the accused were taken up, and the investigation

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commenced. As per the prosecution, during the course of the investigation when the accused Ankit was interrogated he suffered a disclosure statement wherein he nominated the present petitioner by stating that she too was involved in the commission of crime.

3. Heard.

4. It has been contended on behalf of the petitioner that petitioner is innocent, having no nexus, whatsoever, with the commission of crime and that she has been falsely implicated in the present case. According to learned counsel for the petitioner merely on the basis of confessional statement of co-accused, which was recorded in police custody, the petitioner has been implicated in the present case. In addition to above, the learned counsel for the petitioner has also argued that nothing has been recovered from the possession of the petitioner and that she has already suffered sufficient incarceration for being in custody for a period of 03 months and 15 days.

5. Per contra, the learned State counsel has argued that active role in the commission of offence has been attributed to the petitioner and that she does not have clean antecedents, as she is already facing similar type of two cases against her. As per learned State counsel, the quantity of recovered contraband and the role attributed to the petitioner is grave enough, which renders the petitioner to be ineligible for the benefit of bail.

6. The record has been perused carefully.

7. A careful perusal of record shows that in the present case there are several factors which are required to be taken into consideration for the decision of instant bail petition. They are as under:-



- a) that the recovered contraband from the possession of main accused Ankit does not come within the ambit of commercial quantity;
- b) that nothing has been recovered from the possession of the petitioner;
- c) that the petitioner has been simply implicated on the basis of confessional statement of her co-accused;
- d) that the confessional statement of co-accused was recorded when he was already in custody;
- e) that there is a big question mark with regard to admissibility of above mentioned confessional statement;
- f) that the petitioner being a lady is entitled for a considerate view;
- g) that nothing is left to be recovered from the possession of the petitioner;
- h) that the petitioner has already suffered incarceration for a period of 3 months and 15 days;
- i) that the investigation and trial are not likely to be concluded in near future;
- j) that detention of the petitioner behind the bar is not likely to serve any purpose;
- k) that there is nothing on record to show that if released on bail, the petitioner is likely to tamper with the evidence or influence with witnesses.



8. Taking into consideration the cumulative effect of all the aforesaid factors, it is hereby held that the present petition deserves to be allowed and the petitioner is entitled for the concession of bail.

8. In view of above mentioned observations the present petition is hereby allowed, accordingly, and the petitioner is admitted to bail subject to her furnishing bail bonds to the satisfaction of the learned trial Court.

9. It is, however, made clear that any observation made here-in-above is only for the purpose of deciding the present petition, and the same shall have no bearing on the merits of the case.

(SURYA PARTAP SINGH)
JUDGE

27.10.2025
Kapil

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No