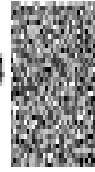


2025.PHHC:177504



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

228

CRM-M No.52604 of 2025
Date of decision: 22.12.2025

Gurmit Kaur @ Meeto

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Damanjit Singh Sandhu, Advocate,
for the petitioner.

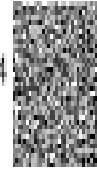
Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present one is the second petition as filed by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking regular bail in case bearing FIR No.82 dated 15.09.2023 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') at Police Station Mehtiana, District Hoshiarpur. The first petition as filed by the petitioner bearing CRM-M-20944-2025 has been dismissed by this Court vide order dated 20.05.2025.

2. As per the allegations, on 15.09.2023, 106 grams of intoxicating powder was recovered from the conscious possession of the petitioner whereas from the conscious possession of the co-accused

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Jaswant Kaur @ Meena and Bimla @ Bimbo who were present along with the present petitioner, 124 grams and 115 grams respectively of the same intoxicant powder had been recovered. The petitioner was extended benefit of bail. However, she absented herself on 16.11.2024 and surrendered on 21.01.2025. Trial is going on.

3. It is argued by learned counsel for the petitioner that ever since the date of dismissal of her previous petition, a period of more than 7 months have elapsed but the trial has not proceeded any further since no prosecution witness has been examined so far. She is a 68 years old suffering from various ailments. She has been in custody for a period of over 11 months. No useful purpose would be served by keeping her in custody any more. It is, thus, argued that she deserves to be released on bail.

4. Learned Assistant Advocate General, Punjab, on the other hand, has argued that the previous petition of the petitioner has been dismissed only seven months back. There has been no substantive or material change in the circumstances. She has criminal antecedents. The allegations against her are serious. It is, therefore, stressed that the petition does not deserve to be allowed.

5. This Court has considered the rival submissions.

6. The petitioner along with the co-accused was found to be in joint conscious possession of commercial quantity of contraband. She had been extended benefit of bail but she had absconded on 16.11.2024



and her bail was cancelled. The previous petition as filed by the petitioner had been dismissed on 20.05.2025. This is the successive second petition filed just 03 months and 26 days thereafter. The petitioner has criminal antecedents. She has even been convicted in one case under the provisions of NDPS Act and other cases are pending against her. The well settled proposition of law is that for the successive bail petition to succeed, the petitioner must show some substantial change in circumstances. Showing of a superficial change would not suffice. Cogent and lucid reasons are required to be given and recorded for granting such plea. However, no such substantial change in circumstances has been pointed out by the petitioner’s counsel nor made out from the record. As such, this Court is of the considered opinion that no ground for allowing the petition is made out. Accordingly, the same is dismissed.

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

22.12.2025	(MANISHA BATRA)
manju	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No