

**CRM-M-54307-2025****-1-****228****IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM-M-54307-2025****Date of Decision:-30.09.2025****KAUSHALYA****.....Petitioner****Vs.****STATE OF PUNJAB****.....Respondent****CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Lupil Gupta, Advocate with
Mr. Sandeep, Advocate
for the Petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in this petition under Section 483 BNSS, 2023 is for the grant of regular bail in case FIR No.166 dated 07.07.2025 registered under Sections 21(b) and 27(a) of NDPS Act at Police Station Sadar Faridkot.

2. The brief facts of the case are that Kaushalya (petitioner) was apprehended with 115 grams of heroin along with Rs.5000/- drug money.

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. There was violation of mandatory provisions of the Act regarding search and seizure including Sections 42 and 50. As the petitioner is in custody since 07.07.2025, none of the 15 prosecution witnesses has been examined so far and the recovery was of non-commercial quantity of contraband, she is



entitled to the concession of bail.

4. The learned counsel for the State, on the other hand, contends that serious allegations have been levelled against the petitioner. Offences of this kind were on the rise and, therefore, she is not entitled to the concession of bail. He, however, concedes that the petitioner is in custody since 07.07.2025, none of the 15 prosecution witnesses has been examined so far and that the recovery was of non-commercial quantity of contraband.

5. I have heard the learned counsel for the parties.

6. Admittedly, the recovery from the petitioner is of non-commercial quantity of contraband. Therefore, the bar contained under Section 37 of the NDPS Act would not be applicable to the case of the petitioner. Further, the petitioner is stated to be in custody since 07.07.2025 and none of the 15 prosecution witnesses has been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Kaushalya W/o Pritam Singh is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

30.09.2025
JITESH

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