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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-57443-2024
Date of decision:-17.01.2025

SHARANJIT KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. T.S. Grewal, Advocate, for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

The instant petition has been preferred by the petitioner under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), for grant of regular bail in the following case(Annexure P-1):-

FIR No.	Dated	Sections	Police Station
241	12.12.2021	21(b), 22(c) and 29 of NDPS Act.	Sirhind, District Fategarh Sahib, Punjab.

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case and she has no concern with the alleged recovery of the contraband from the co-accused but has been nominated in the case on the basis of alleged disclosure statement of co-accused Babli who was nominated in the disclosure statement of the co-accused Prince Chopra and Sukhpreet Singh from whom



25 gram of heroin was recovered by the police. He contends that the petitioner is not having any concern with the above said accused nor having any concern with the alleged transactions but has been falsely implicated in this case on account of previous case being registered against her. The petitioner is in custody since 23.08.2024, the challan has already been presented in Court. Hence he prays for grant of regular bail to the petitioner.

4. *On the other hand*, learned State counsel referring to the reply submitted by the State have opposed the bail petition by arguing that the petitioner happens to be one of the supplier. However, he admitted that name of the petitioner had surfaced in the disclosure statement of co-accused Babli who was also nominated on the disclosure statement of accused Prince Chopra and Sukhpreet Singh who were apprehended by the police at the spot alongwith 25 gram of heroin. He submit that the police has presented the challan which is pending trial and out of 22 witnesses cited by the prosecution 7 witnesses have been examined.

5. After considering the rival contentions and perusing the record, it transpires that the instant FIR was registered on recovery of 25 gram of heroin from scooty driven by Prince Chopra carrying Sukhpreet Singh. After their arrest and during interrogation they disclosed the name of one Babli resident of Paso to be the supplier. The said Babli in her disclosure statement named the petitioner and accordingly she was nominated as accused and arrested in the present case. Admittedly no recovery of contraband has been effected from the petitioner and she is in custody since 23.08.2024. After completion of investigation, challan has already been presented in Court



wherein prosecution has cited 22 witnesses and till date 7 witnesses have been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case will take sufficient long time.

6. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

17.01.2025

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No