



CRM-M-59973-2025
Date of Decision: 19.12.2025

Vartika Aggarwal ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present: Mr. Sahil Goel, Advocate
for the petitioner.

Mr. Gautam Thapar, Sr. DAG, Punjab.

AARADHNA SAWHNEY, J. (ORAL)

1. By virtue of the present petition under Section 483 BNSS, petitioner, co-accused in case bearing FIR No.221 dated 18.08.2025 registered against her, for commission of offences punishable under Sections 22/25 and 29 (added later on), of Narcotic Drugs and Psychotropic Substances, Act 1985 at Police Station Anti Narcotics Force (ANTF), District ANTF Wing, Ludhiana, has prayed for grant of bail.

2. Relevant facts emerging from documents on record be noticed hereinbelow:-

“On 18.08.2025, based on an information received from a secret source, police party set up a nakka at Z-turn, Guru Gobind Singh Nagar Barota Road, near Pooja Clinic, Police Station Simlapur, District Ludhiana. After some time they saw a silver coloured car (make Honda City) bearing registration No.CH-o4J-5670 coming from the opposite direction. The driver was signaled to stop, who introduced himself as Ramesh Kumar, s/o Mahesh



Kumar, resident of Street No.01, Mohalla Sukhdev Nagar, near Peepal Chowk, P.S. Daba, Ludhiana. He was apprised of his legal right to be searched in the presence of a Gazetted Officer, as per provisions of the NDPS Act. Deputy Superintendent of Police, ANTF, Ludhiana Branch was called. After complying with the requisite procedural formalities the car was searched, from the boot of which a bag was recovered, on opening which 12,000 tablets of "Alprazolam" were recovered. From the personal search of Ramesh Kumar, 02 mobile phones (brand IQOO and Redmi, colour black), as also Rs.3600/- were recovered. After the statutory formalities were complied with, FIR was lodged and the case property was taken into possession. Tablets were produced before the Ld. JMIC and in compliance of Section 52A NDPS Act, they were sealed in his presence.

During the course of the investigation, Ramesh Kumar stated that he had purchased these tablets from one Rajat s/o Ashish Kumar, R/o village Sirsi Era, Post Office Chakmunsepur, District Kheri (Uttar Pradesh). Resultantly, aforesaid Rajat was impleaded as co-accused on 19.08.2025. After intimating the local police officials, raid was conducted at the residence of the aforesaid Rajat, who was arrested on 20.08.2025, who during the course of the interrogation stated that he had purchased these tablets from one Habib Ansari R/o village Ramanagar, Labri, P.S. Dhorhara, District Lakhimpur Khiri (Uttar Pradesh). Though no recovery was effected from co-accused Rajat. It also came to the notice of I.O. that several calls had been exchanged between Ramesh Kumar (accused arrested at the site) and Rajat.

Habib Ansari, whose name cropped up in the disclosure statement of Rajat was also interrogated, who disclosed that he used to procure tablets from Mohd. Rihan r/o village Viswa, District Sitapur (Uttar Pradesh). Call details record collected by the I.O. indicated that there had been frequent telephonic conversations between Rajat, Habib Ansari and Mohd. Rihan. Despite best efforts of the police officials co-accused Mohd. Rihan is still absconding.



So as to reach at the root of the matter, each and every strip of recovered 12,000 tablets of Alprazolam, was scrutinized.

6000 tablets IP 0.50 mg (Alprasafe-0.5) were found to have been marketed by Medicina Health Care, 82/2 Ground Floor, Private Plot No.10, Malgodam, Coopar Ganj, Kanpur but did not bear any batch number, manufacturing number, expiry date.

The other set of 6000 tablets IP-0.5 Calmpik 0.5 bore the seal and stamp of Aarpik Pharmaceuticals Pvt. 106-107 Sagar Estate, Ground Floor, B/s Jamnagar Ahmadabad. Police officials visited the office of said Aarpik Pharmaceuticals Pvt. Ltd., where they met one Manohar Lal, who introduced himself as director of Aarpik Pharmaceuticals Pvt. Ltd. He was requested to hand over record regarding to the batch No.AAZT046. After taking the record, it came to the notice of the police authorities that the said batch had been sold by manufacturer to Gautam Pharma Medical Store, H-1/394, Gujaini Road Post Udyog Nagar, Kanpur. IO accompanied by Drug Inspector of the District, visited Gautam Pharmaceuticals and asked for records. The entire record was searched but the batch number of the recovered tablets i.e. AAZTO46 was not found present. The person present at the pharmaceutical could also not hand over any documents with regard to sale bills, purchase orders and other related documents indicating the daily business of the shop. Neither any valid explanation could be given by the owner of Gautam Pharmaceuticals namely Shivam Gautam. After he was nominated as co-accused, during the course of investigation he disclosed that the entire dealing of Calmpik-0.5 including the sale and purchase was being handled by his close friend Hasan with mobile No.8181955103. Admittedly, no recovery of contraband was effected from co-accused Shivam Gautam, who however, also added that the entire business of this Calmpik-0.5 was being done by misusing the name of his shop/firm. He was just made the face of the entire operation and used to only sign the letter pads etc. On his disclosure statement Mohd. Hasan was also nominated as co-accused. During further course of the investigation the mobile



being used by co-accused Shivam Gautam was scrutinized, as were his bank accounts statements, when it came to the notice of the police authorities that there were several unexplained cash entries in lakhs of rupees in the account of Shivam Gautam, which he could not explain. One entry of Rs.1,60,000/- dated 12.12.2024 caught the attention of the I.O. which indicated that there had been transactions between Shivam Gautam and one Vartika Aggarwal i.e. the present petitioner. Call detail records also indicated that there had been several conversations between him (Shivam Gautam) and co-accused Mohd. Hasan.

The plea taken by Shivam Gupta in his disclosure statement gave a reason to the investigating officer to move further in the direction.

The picture that emerged was that petitioner and co-accused Mohd. Hasan were using the name of Gautam Pharmaceuticals, a firm owned by their friend Shivam Gautam to purchase intoxicant tablets from Aarpik Pharmaceuticals and then used to sell it further. The call details record of Mohd. Hasan indicated that there had been several conversations between him and the present petitioner Vartika Aggarwal.

Look Out Notice was issued for Mohd. Hasan, who was detained at the airport on 07.12.2025. In his disclosure statement, he endorsed the stand of Shivam Gautam.

Most importantly blank letter pads of Gautam Pharmaceuticals were recovered from the house-cum-shop of the petitioner which established her complicity. As per the case of prosecution forged purchased orders were used to be prepared on the letter pads of the Gautam Pharmaceuticals. Vartika Aggarwal was arrested on 07.10.2025 from Kanpur from her house-cum-shop in the presence of the Drug Inspector Rekha Sachan and the following incriminating material was recovered:-

- i. One electronic machine of currency counting.*
- ii. Rs.28,85,000/- Indian currency drug money.*
- iii. Mobile phone mark iPhone 15 pro max, WhatsApp*



No.7565989618.

Certain recoveries were also effected by the Drug Inspector, which have been highlighted at page 15 of the Status Report.

3. Petitioner-accused who was arrested on 07.10.2025 moved an application for grant of bail before the learned Judge Special Court, SAS Nagar. The same was dismissed vide order dated 24.10.2025. Aggrieved of the same, present petition has been filed.

4. Learned counsel for the petitioner submits that petitioner has been falsely arrayed as accused in the present case only on the ground that she has deposited Rs.1,60,000/- in the account of Gautam Pharmaceuticals on 12.12.2024. The said amount was deposited much prior to the incident. Nothing incriminating was recovered from the possession of the petitioner, who was not named in the disclosure statements of any of the accused. Learned counsel contends that father of the petitioner against whom a criminal case vide Crime No.77 of 2025 u/s 276/277/278/318 BNS, Police Station Collectorganj, District Kanpur Nagar, was lodged on the ground that certain illicit narcotic medicines, empty cardboard boxes, packing material, batch printing machine, blank letter pads of Gautam Pharmaceuticals and other incriminating material was recovered has since been granted the concession of anticipatory bail by the Allahabad High Court vide order dated 16.12.2025, which further weakens the case of the prosecution.

Continuing further learned counsel submits that petitioner, a young lady, whose past antecedents are quite clean and who has been unnecessarily dragged in the present case, deserves a lenient view to be taken in her favour, for investigations qua her are complete, likelihood of completion of trial in the near future being quite remote, her further incarceration (she



having been arrested on 07.10.2025) would not serve any useful purpose, as the same would be violative of her rights under Article 21 of the Constitution of India, including right to speedy trial but would also be against the principle of “*Bail is a general rule and incarceration is an exception*” as held by Hon’ble Supreme Court in ***Dataram vs. State of Uttar Pradesh and another, 2018(2) R.C.R. (Criminal) 131.***

On the basis of the above submissions, it has been prayed to take lenient view in favour of the petitioner, who undertakes to abide by all the conditions.

5. Detailed status report by way of affidavit of Mr. Harpal Singh, PPS, Deputy Superintendent of Police, Anti-Narcotics Task Force, Ludhiana Range, Ludhiana has been filed today. The same is taken on record and has been carefully perused. Ld. State counsel has opposed the request for grant of bail on the ground that petitioner is the kingpin of this entire drug peddling racket, who along with co-accused Mohd. Hasan used to purchase illicit drugs in the name of Gautam Pharmaceuticals and used to dispatch/sell it further on the basis of the forged sale orders. The fact that cash amount of Rs.28,85,000/-, cash counting machine, mobile phones, certain narcotic medicines, empty cardboard cartons, packing material, blank letter pads etc. were recovered from her residence/office indicates her complicity. Continuing further Ld. State counsel submits that after one of the co-accused Rajat was caught, petitioner and others associated with her were trying to find out a novel method of selling the illicit medicines after deleting/blackening the batch number. In this context copy of the photograph handed over by one of the accused Ajit Singh, appended as Annexure R-1 has also been referred to by Ld. State counsel, which according to him has been sent for FSL examination and the report is



still awaited. Ld. State counsel further submits that investigation in the present case are still underway. In the light of huge quantity of contraband recovered on 18.08.2025, the incriminating material recovered at the instance of petitioner/her residence/office, as highlighted at page 15 of the status report, it has been prayed that no case for grant of bail is made out.

6. I have heard the learned counsel for the parties and have gone through the documents on record.

7. The role played by petitioner has been highlighted in the status report. As per prosecution, petitioner along with Mohd. Hasan (against whom a Look Out Notice was issued and who was detained at Mumbai Airport while he was about to flee the country), used to purchase illicit narcotic tablets from *Aarpik Pharamaceuticals* in the name of Gautam Pharmaceuticals by preparing forged purchase orders. They both were in league with Shivam Gautam, who was being paid commission. Blank letter pads of Gautam Pharmaceuticals were recovered from the house/shop of the present petitioner, further corroborating the stand of the prosecution that she is kingpin and a crucial link in the entire network of drug peddling racket. The fact that batch printing machine, empty card board boxes, printer for printing batch number etc. were recovered from the premises of the petitioner, at least at this stage, supports the stand of the prosecution that after the police authorities traced the name of the manufacturing unit, which had manufactured 6000 tablets IP-0.5 Calmpik 0.5, on the basis of Batch number on the medicine, petitioner and other accused were trying to device a novel method of not to be caught in the police net and were contemplating deleting the batch number on the medicine. In this context, statement of one of the co-accused Ajit Singh, who had sent a photograph (Annexure R-1) by deleting the Batch number on the medicine, to the other



accused and who was also in constant touch with the petitioner, further highlights the important role played by her.

The order passed by the Allahabad High Court dated 16.12.2025 has also been looked into, vide which the father of the petitioner has been granted the concession of interim anticipatory bail. That by itself cannot be a ground to conclude the innocence of the petitioner. Call details record collected by the Investigating Officer indicates that she was in constant touch with Mohd. Hasan, Shivam Gautam and other accused. Huge cash of Rs.28,85,000/- cash counting machine, mobile phones and other incriminating material including blank letter pads of Gautam Pharmaceuticals, Batch printing machines, illicit Narcotic Medicines etc. were recovered from her residence/office, qua which she could not render any plausible explanation, indicates her complicity and thus does not make out a case for grant of bail, moreso when investigations in the present case are still undergoing. State of Punjab is reeling under the grip of drug menace. These offences need to be dealt with strictly.

In view of the discussion made hereinabove petitioner is not entitled to the concession of the bail at this stage. Accordingly, the petition is hereby stands dismissed.

Any observation made hereinabove is neither an expression of opinion on the case’s merits nor shall the trial Court advert to these comments.

Pending application, if any, also stands disposed of.

(AARADHNA SAWHNEY)
JUDGE

19.12.2025
Parveen kumar

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