



In the High Court for the States of Punjab and Haryana at
Chandigarh

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CRM-M-61937-2025 (O&M)
Date of Decision:- 19.11.2025

Rani @ Rani Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present:- Mr. Himanshu Bansal, Advocate,
for the petitioner.

SUBHAS MEHLA, J. (Oral)

1. The instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, has been filed for grant of anticipatory bail to the petitioner in case FIR No.221 dated 03.10.2025, registered under Sections 21(b), 27 and 29 of NDPS Act, 1985, at Police Station Nehianwala, District Bathinda.
2. Learned counsel for the petitioner contended that the petitioner, who is a lady aged about 65 years; has clear antecedents and her name was figured in the present case on the basis of a disclosure statement of co-accused Amandeep Singh @ Deepa, who has a trivial personal discord and strained relations with the petitioner; 7 grams of 'heroin' has been recovered from the possession of aforesaid co-accused; the prosecution case is solely resting on Call Detail Records (CDR) of calls between the co-accused and



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(2)

petitioner, and there is no material to show the purpose for talking with co-villager or the contents of conversation; petitioner has been nominated upon disclosure statement, and no independent evidence is available with the prosecution to prove the involvement of the present petitioner/accused; disclosure statement is inadmissible in the evidence and learned counsel prayed for grant of anticipatory bail to the petitioner as she is ready and willing to join the investigation.

3. Notice of motion.

4. Mr. Anup Singh, AAG, Punjab, puts in appearance as advance copy of petition had been served to respondent-State, and opposed the present petition by submitting that family of the petitioner is involved in drug trafficking and both her sons, namely, Lakhvir Singh and Kulvir Singh, are involved in multiple cases under NDPS Act, and are currently lodged in jail; in their absence, their mother i.e. the present petitioner is running drug trafficking; and there is apprehension that she is in possession of more contraband. Her custodial interrogation is required to trace out the source of contraband and for a thorough and effective investigation, hence, prayed for dismissal of the present petition.

5. Heard.

6. Keeping in view the facts of the present case and contentions of learned counsel for the parties; the fact that family of the petitioner (i.e. her two sons) are involved in multiple cases under NDPS Act, as contended by learned State counsel; and there is apprehension of the investigating agency that petitioner/accused is in possession of more contraband, custodial



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interrogation of the petitioner is required to identify the source of contraband, and for recovery of drug money, hence , this Court does not find any merit in the present petition seeking anticipatory bail of the petitioner.

7. Hon'ble Supreme Court has emphasised the importance of custodial interrogation in case titled as '**CBI Vs. Anil Sharma, 1997 AIR Supreme Court 3806**' decided on 03.08.1997, as under:-

"....custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is well ensconced with a favourable order under Section 438 of the Code. In a case like this effective interrogation of suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible Police Officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring would not conduct themselves as offenders."

8. Honble Apex Court in **Anarul S.K. Vs. The State of West Bengal (SLP (Crl.) No.12621-2024** has observed that the grant of anticipatory bail in cases involving Narcotic Drugs and Psychotropic Substances (NDPS) is a very serious issue.



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9. In view of the above, this Court finds no ground to grant anticipatory bail to the petitioner and the present petition stands dismissed.
10. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court on the merits of the case.

19.11.2025
Geeta

(SUBHAS MEHLA)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No