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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-62627-2025 (O&M)
Date of decision: 13.11.2025

Kuldeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Manoj R. Sharma, Advocate
for the petitioner.

Mr. Roshandeep Singh, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Prayer in this petition, filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of regular bail to the petitioner in FIR No. 168 dated 26.09.2025, registered under Sections 21(a) and 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) and Section 111 of BNS, 2023 at Police Station Division No. 2, District Pathankot.

2. Brief facts of the case relevant for the disposal of the present petition are that on 26.09.2025, the petitioner along with Harish was apprehended by a police party and recovery of 02 grams 26 milligrams of heroin and drug money of Rs. 30,650/- was effected from her, whereas recovery of 02 grams 41 milligrams of heroin was effected from the co-accused. The petitioner along with the co-accused was formally arrested at the spot. Since then, she is in custody.

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3. Learned counsel for the petitioner has submitted that she has been falsely implicated in this case. In fact, the alleged recovered contraband was planted on her. She is on bail in other cases registered against her. The ingredients of Section 111 of BNS, 2023 are not made out against her. Even otherwise, the quantity of the recovered contraband falls under the small quantity. The petitioner is in judicial custody since 26.09.2025. Trial will take considerable time to conclude. No useful purpose would be served by keeping her in custody anymore. Therefore, it is urged that the petition deserves to be allowed and the petitioner deserves to be released on regular bail.

4. Custody certificate of the petitioner has been filed by the respondent-State. It is submitted by learned State counsel that keeping in view the gravity of the allegations levelled against the petitioner, she is not entitled to get benefit of bail. Hence, it is urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The petitioner is in custody since 26.09.2025. The quantity of the contraband allegedly recovered from her falls under the small quantity i.e. 05 grams. It is a debatable question as to whether the ingredients of Section 111 of BNS, 2023 are made out against the petitioner or not? Conclusion of trial is likely to take time. The petitioner is stated to be on bail in other cases registered against her. Keeping in view the aforesaid facts, this Court is of the considered opinion that no useful purpose would be served by keeping him in custody anymore. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to

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his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

7. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

13.11.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No