

2025:PHHC:021321



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

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CRM-M-65179-2024 (O&M)
Date of decision: 14.02.2025

Kajal ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Kamal Jindal, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

MANISHA BATRA, J. (Oral)

1. CRM-51067-2024

Allowed as prayed for.

Leave granted.

2. CRM-M-65179-2024 (O&M)

Through the instant petition, filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (*for short* 'BNSS'), the petitioner seeks
anticipatory bail in case FIR No. 396, dated 23.11.2024, registered under
Section 21B of the Narcotic Drugs and Psychotropic Substances Act, 1985 at
Police Station Kalanwali, District Dabwali.

3. Brief facts of the case relevant for the purpose of disposal of the
present petition are that on 23.11.2024, co-accused Pankaj and Deepu were
apprehended by the police party and recovery of total 11.74 grams of heroin
was effected from them. On interrogation, they disclosed that they had
purchased the recovered contraband from the present petitioner and one Pappu

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@ Gaddu. On the basis of the same, the petitioner was nominated in this case as an accused. Apprehending her arrest, she had filed an application before the Court of learned Additional Sessions Judge, Sirsa but the same had been dismissed, vide order dated 07.12.2024. Hence, the present petition.

4. Vide order dated 23.12.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. The operative part of the order dated 23.12.2024, passed by this Court, reads as under:

“Learned counsel for the petitioner *inter alia* submits that petitioner has been falsely implicated in this case. He (she) has been nominated on the basis of disclosure statement of Pankaj and Deepu. He further submits that recovery of 11.74 grams of heroin effected from the above said co-accused falls under the ambit of non commercial quantity. The petitioner has clean antecedents.”

5. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation and she is not required for custodial interrogation.

6. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 23.12.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 482(2) of BNSS.

14.02.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No