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

**CRM-M-66226-2025
Date of Decision: 02.12.2025**

MAYA Petitioner

Versus

STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR

Present : Mr. L.S. Sekhon, Advocate with
Mr. G.S. Dhillon, Advocate
for the petitioner.

Mr. Gorav Kathuria, DAG Punjab.

YASHVIR SINGH RATHOR, J. (Oral)

1. This is the first application under Section 483 of BNSS, 2023 for grant of regular bail in case FIR No.201 dated 12.08.2025 under Section 105 of BNS, 2023 (offence under Section 190 of BNS, 2023 and under Section 27 of NDPS Act, 1985 added later on) registered at Police Station Sadar Dhuri, District Sangrur.

2. Learned counsel for the petitioner as well as learned State counsel have been heard and material collected by the police during investigation has been perused.

3. As per the prosecution case, on 08.08.2025, one Kuldeep Singh had taken Rupinder Singh (deceased) along with him, who both are stated to be drug addicts. On 11.08.2025, the dead body of Rupinder Singh was found, and it has been alleged that he had died on account of consumption of a drug which had been administered by the said Kuldeep



Singh, who suffered a disclosure statement to the effect that he had purchased the drug/contraband from one Manjit Kaur. Thereafter, the said Manjit Kaur was also arrested and she suffered a disclosure statement to the effect that she alongwith Maya (present petitioner) and Mukhtiar Kaur had brought the intoxicating substance (*chitta*) and further sold it to Kuldeep Singh.

4. Learned counsel for the petitioner contended that the petitioner has been falsely implicated in the present case. The disclosure statement suffered by co-accused Manjit Kaur, whereby she has been nominated as supplier, is not admissible in evidence. Even otherwise, there is no evidence on record that the deceased died on account of consumption of the drug allegedly obtained from the petitioner. Learned counsel further contended that infact, the deceased was a drug addict and he died due to overdose. The viscera report has not been received as yet and the cause of death is unknown. Petitioner is in custody since 13.08.2025. The trial is likely to take a sufficiently long time to conclude and, in these circumstances, further detention of the petitioner is not required and she deserves to be released on bail.

5. On the other hand, learned State counsel has opposed the bail and has sought dismissal its dismissal on account of gravity of offence.

6. A Co-ordinate Bench of this Court in *Anshul Sardana versus State of Punjab*, passed in CRM-M-65094-2024 (2025: PHHC:004198), after relying upon the law laid down by the Hon'ble Supreme Court in *Tofan Singh versus State of Tamil Nadu*, AIR 2020 Supreme Court 5592; *Smt. Najmunisha, Abdul Hamid Chandmiya @ Ladoo Bapu versus State of Gujrat*, *Narcotics Control Bureau*, 2024



INSC 290; *State by (NCB) Bengaluru vs. Pallulabid Ahmad Arimutta & Anr.*', 2022 (1) RCR (Criminal) 762; and *Vijay Singh vs. The State of Haryana*, bearing Special Leave to Appeal (Crl.) No.(s) 1266/2023, decided on 17.05.2023, has held thus:

"6.3 It is a well established principle of law that a confession made by a co-accused under Section 67 of the NDPS Act is inherently a very weak piece of evidence. Such statement(s), by themselves, cannot form the sole basis for the conviction of an individual and must be scrutinized with utmost caution in conjunction with other substantive evidence. Moreover, no recovery has been effected from the possession of the petitioner, who has been subsequently implicated as an accused solely on the basis of disclosure statement of the co-accused. However, as regular bail pertains to life and liberty of individual, Courts are obligated to strike a balance between safeguarding personal liberty and ensuring the effective administration of justice as also investigation. The final evidentiary value and admissibility of the disclosure statement made by a co-accused fall within the domain of the trial Court and are to be adjudicated during the course of the trial in accordance with established principles of law.

However, while adjudicating a plea for regular bail, this Court cannot remain oblivious to the circumstances under which the petitioner has been arraigned or implicated, including the nature of the allegations, the evidence linking the petitioner to the offence as well as the specific role attributed to the petitioner in the commission of the alleged offence. A prima facie examination of these factors is essential to ensure that the process of law is not misused, abused or misdirected."

7. Petitioner is in custody since 13.08.2025 and her name has cropped up in the disclosure statement of accused namely Manjit Kaur.



No contraband has been recovered from the possession of petitioner. As to how much evidentiary value will be attached to the said disclosure statement will be seen during the trial. Trial is likely to take sufficiently long time to conclude and no useful purpose will be served to detain the petitioner in custody.

8. Having regard to the aforesaid factual position, but without commenting anything on the merits of the case, the bail application is allowed and petitioner is ordered to be released on bail on her furnishing bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(YASHVIR SINGH RATHOR)
JUDGE

02.12.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No