



220

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

**CRM-M No.70822 of 2025
Date of Decision: 19.12.2025**

Usha Rani @ Bhusi**.....Petitioner**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.19, dated 18.01.2025, under Section 22 of NDPS Act (Section 29 of NDPS Act added later on), registered at Police Station City Barnala, District Barnala, Punjab.

2. Succinctly the facts of the case are that the police party, while on patrolling on 18.01.2025, received a secret information to the effect that Laddi Singh @ Laddi was involved in selling the intoxicant tablets. It was informed that he was present near the vacant plot situated on the backside of Dadu Motors, Barnala and in case of raid, he could be arrested along with the contraband. On receiving the secret information, the



raiding party was constituted and reached the place as disclosed. On reaching the place, the person, as disclosed in the secret information, was found and thus was apprehended. On asking, he disclosed his name to be Laddi Singh @ Laddi. He was suspected to be carrying some contraband and thus, his search was conducted. On conducting the search, 02 boxes were recovered. However, on conducting the search of 02 boxes, 11000 intoxicant tablets of Carisoprodol and 9000 intoxicant tablets of Tramadol, i.e. total 20000 intoxicant tablets were recovered. He failed to produce any licence regarding the conscious possession of the same and thus, the FIR was registered and he was arrested on the spot. On registration of the FIR, the investigation commenced. The samples taken were sent to the FSL. As per the FSL, 9000 tablets recovered weighed 3.348 Kgs. During the investigation, complicity of the petitioner, namely, Usha Rani @ Bhusi, surfaced as she was the supplier of contraband, thus, she was also arrayed as an accused in the present case. Resultantly, the petitioner was arrested on 09.06.2025. The petitioner approached the Court of learned Judge, Special Court, Barnala praying for the grant of bail, however after hearing both the sides and finding no merit in the same, the learned Judge, Special Court, Barnala declined the bail application filed by the petitioner vide order dated 19.11.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner, at the outset, prays for the grant of bail to the petitioner on the basis of parity with that of the co-accused, namely, Mamta, Jimmi Singh, Robin Bansal, Ramandeep Singh



@ Ramma @ Ramna, Mandeep Singh and Manjeet Singh @ Kali Chidi. He has drawn the attention of this Court to the order dated 29.10.2025, passed in **CRM-M-17329-2025, CRM-M-43361-2025, CRM-M-46743-2025, CRM-M-48064-2025, CRM-M-57684-2025 and CRM-M-58010-2025**, whereby, co-accused, namely, Mamta, Jimmi Singh, Robin Bansal, Ramandeep Singh @ Ramma @ Ramna, Mandeep Singh and Manjeet Singh @ Kali Chidi have been granted regular bail by this Court. He has submitted that the petitioner is behind bars since 09.06.2025. He has submitted that on the basis of the parity, the petitioner deserves to be granted bail as the case of the petitioner is similar to that of the said co-accused, who have already been granted bail.

4. Learned State counsel has endorsed the factum of grant of bail to the co-accused of the petitioner as stated above and has not denied that the petitioner is at par with the co-accused, namely, Mamta, Jimmi Singh, Robin Bansal, Ramandeep Singh @ Ramma @ Ramna, Mandeep Singh and Manjeet Singh @ Kali Chidi. He has submitted that the contraband recovered in the present case falls under the category of commercial quantity. He has produced custody certificate of the petitioner today in the Court, which is taken on record.

5. The Court has heard learned counsel for the parties and perused the record with their able assistance.

6. After hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner is behind bars since 09.06.2025. Co-accused, namely, Mamta, Jimmi Singh, Robin Bansal, Ramandeep Singh @ Ramma @ Ramna, Mandeep Singh and Manjeet Singh @ Kali



Chidi are on bail and the case of the petitioner as stated is at par with them. The contraband recovered in the present case falls under the category of commercial quantity. Custody certificate produced would show that the petitioner has suffered incarceration of 07 months and 03 days as on 18.12.2025. It further reflects that the petitioner is involved in 03 other cases, however in 01 case, he is on bail.

7. In view of the facts and circumstances of the present case, this Court cannot ignore the fact that the speedy trial is the fundamental right of every accused. As held by the Hon'ble Supreme Court in **Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260**, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

19. A plain and literal interpretation of the conditions under Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

20. xxxxx

21.it would be important to reflect that laws which



impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

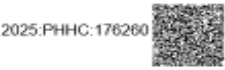
22. xxxxx

23. *There is a further danger of the prisoner turning to crime, “as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal”²² (also see Donald Clemmer’s ‘The Prison Community’ published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.”*

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for the grant of bail on the basis of partity.

10. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said



herein shall be treated as an expression of opinion on the merits of the case. However, if the petitioner does not furnish the bail bonds within seven days from today, then her further custody period after one week will not be counted in this case.

19.12.2025

rittu

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

(RAJESH BHARDWAJ)
JUDGE