



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

126-2

CRM-M-4714-2026
Decided on : 22.04.2026

Usha Rani @ Bhusi

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Jashandeep Singh Sandhu, Advocate (through V.C.)
for the petitioner(s).

Mr. Manjinder S. Bhullar, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Usha Rani @ Bhusi	183	25.12.2024	S. 21 of NDPS Act, 1985 [S. 22, 29 of NDPS Act, added later on]	Barnala	Barnala

2. As per the allegations recorded in the FIR, there is recovery of 15 vials of Wincerex Cough Syrup (100 ml. Each) from one Rinku Singh and on the basis of his disclosure statement, name of the petitioner surfaced as supplier of the said vials.

During investigation, another disclosure statement of none but of the petitioner – Usha Rani @ Bhusi, 99 intoxicant tablets were also recovered, containing salt of Alprazolam of 12.177 grams.



3. Learned counsel for the petitioner argues that a false case has been planted against the petitioner. Even except of the disclosure statement in regard to recovery of 15 vials from the co-accused – Rinku Singh, no other evidence could be collected during investigation against the petitioner.

As far as, recovery of 99 intoxicant tablets, containing salt of ‘Alprazolam’ is concerned, same falls under the ‘non-commercial quantity’, as it is much less to the threshold of 100 grams under the NDPS Act, for counting it as ‘commercial quantity’.

4. Learned counsel for the petitioner further argues that petitioner has been in custody since 27.03.2025, i.e. for the last about more than a period of one year, and out of total cited 19 prosecution witnesses, only 03 have been examined so far. Thus, the trial is not progressing at the requisite pace and is likely to take considerable time to conclude. Keeping the petitioner detained for an indefinite period, when investigation is already complete and challan has been presented, would serve no useful purpose. Therefore, learned counsel prays for the grant of concession of regular bail to the petitioner.

5. On the other hand, learned State counsel, while opposing the prayer for bail, submits that the present case involves the recovery of narcotic contraband, and keeping in view the gravity of the offence, petitioner does not deserve the concession of bail at this stage.

Further submits that that petitioner’s name surfaced during the course of investigation from the disclosure statement of co-accused Rinku Singh, and pursuant thereto, a recovery of 99 intoxicant tablets of Alprazolam, was effected from her possession.



However, learned State counsel fairly concedes that the petitioner has been in custody since 27.03.2025, and except for the present case, she is not shown to be involved in any other similar offence. Other factual assertions as noticed and noted here-above also not been controverted by the learned State counsel.

6. I have heard learned counsel for the parties and perused the material available on record.

It is undisputed that the petitioner has been in custody for about more than a period of one year, and the recovery attributed to her is 99 intoxicant tablets of Alprazolam, which falls within the non-commercial quantity as per the NDPS Act. The petitioner's implication is primarily based on the disclosure statement of a co-accused. The evidentiary value of such a disclosure, by itself, would be a matter for adjudication during trial.

This Court is also conscious that incarceration of the petitioner cannot be prolonged when investigation has been completed and the trial is likely to take considerable time to conclude. Besides, there are no specific allegations of tampering with evidence or influencing witnesses.

7. In view of the totality of the circumstances, and without commenting on the merits of the case, this Court deems it appropriate to extend the concession of regular bail to the petitioner.

Accordingly, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in



any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made here-in-above shall not be construed as an expression of opinion on the facts of the case and the Trial Court is expected to decide the case on the basis of complete evidence available on record.

10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands **disposed of**.

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

April 22, 2026

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No