



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206-1

CRM-M-5959-2026
Decided on : 09.04.2026

SHILPA
.....Petitioner
Versus
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Ajay Kumar, Advocate, and
Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Vinay Malhotra, DAG, Punjab.

SANJAY VASHISTH, J.

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
Shilpa, aged about 36 years	95	19.06.2025	21(C)/27(A)/29 of NDPS Act	Sadar Amritsar	Amritsar

2. As per case of the prosecution, a secret informer informed the Investigating Officer that Harpreet Singh @ Harpartap Singh Happy, his wife Priyanka and Shilpa w/o Sikander are in the business of sale and purchase of Heroin. The informer further informed that even today, if raid



is conducted at the house of Shilpa, all of them can be apprehended with Heroin.

On conducting raid, at the house of Shilpa, it was noticed that on Diwan Bed, a computer scale with a polythene packet and other small polythene packets were lying over it and noticing the presence of police, Harpreet Singh @ Harpratap Singh Happy picked up the wrapped polythene packet from Diwan Bed with his right hand and when he was about to throw it into the bathroom, was apprehended, while holding his right wrist along with polythene packet.

3. Learned counsel for the petitioner submits that, during the course of investigation, it was found that 260 grams of heroin was recovered from the possession of accused Harpreet Singh @ Harpartap Singh Happy. Additionally, an amount of Rs.5,200/- was allegedly recovered as drug money from accused Shilpa (present petitioner). It is further contended that, following the arrest of the aforesaid accused—namely Priyanka, Harpreet Singh @ Harpartap Singh Happy, and Shilpa—the involvement of two other individuals, namely Shamsher Singh and Dilbag Singh, was alleged on the basis of disclosure statements.

4. Counsel for the petitioner further argues that petitioner has been falsely implicated in the present case. It is submitted that petitioner, aged 36 years, has no prior criminal antecedents and has never been involved in any criminal activity. Moreover, no recovery of any narcotic substance has been effected from the conscious possession of the petitioner.



5. It is also contended that co-accused, namely, Gurmel Singh @ Gurmail Singh @ Ghela and Priyanka, have already been granted concession of regular bail by this Court vide common order dated 27.01.2026 passed in CRM-M-73859-2025 and connected cases (Annexure P-3).

Similarly, co-accused Dilbagh Singh alias Bagga has been granted the concession of regular bail by this Court, vide order dated 02.04.2026 passed in CRM-M-16513-2026. Thus, counsel prays for grant of regular bail to the petitioner in the present case.

6. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 08.04.2026 in Court today, which is taken on record. Office to tag the same at appropriate place. A copy thereof has been handed over to the counsel for the petitioner.

As per the custody certificate, in the present case, petitioner has already undergone 09 months and 17 days period inside jail.

7. Learned State counsel, while vehemently opposing the prayer for grant of bail, submits that present case involves the recovery of a commercial quantity of heroin from co-accused Harpreet Singh @ Harpartap Singh Happy, who was allegedly in the process of disposing of the contraband in the bathroom at the relevant time.

It is further contended that the said co-accused namely Harpreet Singh @ Harpartap Singh Happy was present inside the house of the petitioner at the time of recovery, and therefore, petitioner cannot claim ignorance of the illegal activities being carried out within her



premises. Thus, learned State counsel argues that petitioner is not entitled to any leniency for grant of bail. Accordingly, it is prayed that present petition be dismissed.

8. This Court has heard the submissions addressed by counsel for the parties and has also gone through the record available before it.

9. Considering all the aspects of the matter, particularly the fact that no recovery has been effected from the possession of the petitioner during the course of investigation, even after her arrest, her further detention for an indefinite period is not warranted. This Court is inclined to afford the petitioner an opportunity to reform and reintegrate into society rather than prolong her incarceration, especially when the conclusion of the trial is likely to take considerable time.

10. Therefore, in view of the totality of the circumstances, the nature of the allegations levelled against the petitioner, and the factors noticed here above, this Court deems it appropriate to grant the concession of bail to the petitioner in the present case.

Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to her 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.

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



12. Any of the discussion done and recorded here above, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.

13. 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.

14. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

09.04.2026
Lavisha

Whether Speaking/Reasoned: YES/NO
Whether Reportable: YES/NO