



CRM-M-18379-2026

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-18379-2026
Decided on : 10.04.2026

Rekha Goyal @ Shama

. . . Petitioner(s)

Versus

State of Punjab

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present : Mr. Damanjit Singh Sandhu, Advocate
for the petitioner(s).

Mr. Jasdeep Singh Gill, Addl. A.G., Punjab

SANJAY VASHISTH, J. (Oral)

1. The instant third 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
Rekha Goyal @ Shama, aged 35 years	224	30.10.2023	21-B of NDPS Act, 1985 (Section 61 of NDPS Act added later on)	Tibba	Ludhiana, Punjab

2. As per case of the prosecution, on 30.10.2023 following was recovered from possession of the petitioner -

“255 grams of heroin, one electronic weight machine, 40 zip lock envelopes and Rs.1500 as drug money.”

3. Learned counsel for the petitioner contends that first bail petition was



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dismissed by this Court vide order dated 19.05.2025 passed in CRM-M-52497-2024 and by that time she had suffered incarceration period of 01 year, 05 months and 29 days. He further contends that while second bail petition i.e. CRM-M-44271-2025 was listed on 06.03.2026, learned counsel for the petitioner could not put in appearance on account of his own marriage and, therefore, the same was dismissed for want of prosecution. He submits that since ultimately loss has been suffered by the petitioner, who is lying inside jail, he has come up once again with a prayer of bail primarily for the reason that by now she has completed incarceration period of more than 02 years and 05 months, especially when out of total 16 prosecution witnesses, only 02 prosecution witnesses have been examined by the Court below.

4. I have noticed the allegations, for which petitioner has been made accused in the present case. Apart this, it is also noticed that petitioner is involved in four other cases i.e.

Sr. No.	FIR No.	Date	Offenses	Police Station
1.	83	02.08.2018	21/61/85 NDPS Act, 1985	Tibba, Ludhiana
2.	85	20.04.2019	21/61/85 NDPS Act	Moti Nagar
3.	137	27.07.2019	22/61/85 NDPS Act	Tibba
4.	119	14.06.2022	21/61/85/29 NDPS Act	Tibba

5. In regard to the aforementioned four cases registered earlier to the present case, learned counsel for the petitioner submits that petitioner is already on bail in all those cases and has never been convicted by any of the Court in any of the referred cases.

6. I have considered the submissions addressed by respective counsels and also gone through the detailed order passed by Coordinate Bench in the first bail petition dismissed on 19.05.2025 (Annexure P-3).

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7. While considering, it is found that the threshold of the quantity beyond non-commercial is 250 grams and from possession of the petitioner 255 grams of intoxicating powder/heroin was recovered. The petitioner is inside jail for the last 02 years, 05 months and 08 days and out of total 16 prosecution witnesses, only 02 prosecution witnesses have been examined till date. No accused can be detained inside jail for indefinite period because of the slow pace of the trial, for the reason best known to the prosecution.

8. 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.

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

10. 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.

11. 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.

12. Petition stands disposed of.

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

(SANJAY VASHISTH)
JUDGE

April 10, 2026

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No