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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-19679-2026
Decided on : 30.04.2026

GEETA

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Avneet Singh, Advocate, and
Mr. N.S. Lucky, 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
Geeta, aged about 44 years	45	01.03.2025	22, 61, 85 of NDPS Act	Maqsuda	Jalandhar

2. As per the case of prosecution, petitioner-Geeta, was a pillion rider on an Activa scooter being driven by her co-accused, Damandeep Singh @ Balli. Upon noticing the police party, the co-accused allegedly became perplexed, took out a polythene bag from his



pocket, and threw it away with his left hand. After being apprehended, both the individuals disclosed their identity. Subsequently, the said polythene bag, as thrown by co-accused Damandeep Singh @ Balli, containing 152 loose pink-colored intoxicant tablets containing Etizolam, weighing 16.112 grams, was recovered.

3. Counsel for the petitioner submits that petitioner has been falsely implicated in the present case and has no connection whatsoever with the alleged narcotic contraband, as she was merely a pillion rider on the scooter. It is further contended that, as per the prosecution's own case, polythene bag was in the exclusive possession of the co-accused, who was driving the scooter, and there was no material to suggest that petitioner had any knowledge of its contents. In the absence of any evidence establishing conscious possession or knowledge on the part of the petitioner, no culpability can be attributed to her. Thus, it is prayed that petitioner be granted the concession of regular bail in the present case.

4. In response to the arguments addressed by learned counsel for the petitioner, learned State counsel, produces the custody certificate dated 29.04.2026 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 04 months and 28 days period inside jail and there is no other case registered against him.



5. Learned State counsel, while opposing the prayer and submissions made by learned counsel for the petitioner, submits that petitioner was acting in connivance with the main accused-Damandeep Singh @ Balli. It is argued that, in all probability, petitioner had knowledge of the contraband, i.e., the Etizolam tablets, allegedly kept in the pocket of her co-accused.

6. However, on being asked by this Court, learned State counsel fairly concedes that petitioner, aged about 44 years, has not been involved in any other criminal activity in the past, and has clean antecedents.

7. This Court has heard the submissions addressed by learned counsel for the parties and has perused the record available on file.

8. Admittedly, petitioner is inside jail since 01.03.2025. Apart from the fact that, at the time of the alleged recovery, petitioner was a pillion rider on the scooter being driven by co-accused Damandeep Singh @ Balli, there is no other material brought on record by the prosecution sufficient to *prima facie* indicate her direct involvement in the alleged offence.

9. Considering the totality of the circumstances, nature of allegations levelled against the petitioner, and the factors noticed here above, particularly her clean antecedents and absence of material suggesting conscious possession or knowledge, this Court deems it appropriate to grant the concession of regular bail to the petitioner in the present case.



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Consequently, 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.

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

11. 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.

12. 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.

13. Petition stands disposed of.

(SANJAY VASHISTH)
JUDGE

30.04.2026
Lavisha

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