



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21316 of 2025(O&M)
Date of Order:28.01.2026

Amarjit Kaur alias Fatti
Versus
State of Punjab

.Petitioner
..Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Amit Arora, Advocate,
for the petitioner.
Mr. Jasdeep Singh, Addl. A.G., Punjab.

SANJAY VASHISTH, JUDGE

Petitioner-Amarjit Kaur alias Fatti has filed the fourth petition under Section 483 of BNSS, seeking regular bail in case FIR No.62, dated 13.04.2023, under Section 21 of NDPS Act, registered at Police Station Sadar Patti, District Tarn Taran.

Within a period of nine months, earlier the petitioner tried thrice, by filing petition under Section 439 Cr.P.C., but the same were disposed of having been withdrawn. Detailed petitions and its result are as under:-

1.	CRM-M-61755-2023	Dismissed as withdrawn on 22.12.2023
2.	CRM-M-23154-2024	Dismissed as withdrawn on 31.05.2024
3.	CRM-M-21411-2024	Dismissed as withdrawn on 12.09.2024

Learned counsel for the petitioner contends that on 31.10.2025, when the instant petition was filed fourth time for seeking bail, it was noticed that out of a total 11 prosecution witnesses, 07 have been examined and thereupon following order was recorded:-



- “i) Present fourth petition has been filed under Section 483 of BNSS, seeking regular bail in case FIR No. 62 dated 13.04.2023, under Section 21 of NDPS Act, registered at Police Station Sadar Patti, District Tarn Taran.*
- ii) Learned counsel for the petitioner contends that, as per the allegations, 255 grams of heroin were recovered from the possession of the petitioner, which is marginally higher than the maximum non-commercial quantity, i.e., 250 grams.*
- iii) Counsel further submits that whether the recovered contraband was weighed properly in accordance with the prescribed norms and guidelines would be a matter for consideration during the course of the trial. In the event any variation is found subsequently in the actual weight of the contraband, it may have a bearing on the final decision while awarding the sentence, even if the petitioner is held guilty. It is also submitted that petitioner is in custody for the past two years, six months, and fourteen days. Out of a total 11 prosecution witnesses, 07 have been examined, and the case is now fixed for 24.11.2025.*
- iv) Learned State counsel is directed to file status report.*
- v) List on 28.01.2026.”*

Status report dated 27.01.2026 has been filed by the State in Court today, which is taken on record.

From perusal of the Status report, it is noticed that petitioner is facing 03 other criminal cases that too under the NDPS Act, which are as under:-

Sr.No.	FIR No.	Under Section	Police Station
1.	FIR No.32, dated 31.03.2021	22 of the NDPS Act	Sadar Patti, District Tarn Taran



2.	FIR NO.52, dated 05.05.2022	21 of the NDPS Act	Sadar Patti, District Tarn Taran
3.	FIR No.29, dated 10.02.2023	22 of the NDPS Act	Sadar Patti, District Tarn Taran

Although, it is a debatable issue whether waiving process adopted in the present case was as per the prescribed norms or not and whether the recovered quantity of 255 grams of heroin actually falls below the commercial quantity or marginally above the non-commercial quantity, still considering the aspect that earlier also, three times, petitioner could not succeed in getting the bail, most likely, for the reason that he was involved in other NDPS cases in similar instances.

Therefore, this court also refrains itself from entertaining the plea, however, the petition is disposed of by directing the trial court to decide the trial within three months, from today, since the petitioner has already completed the incarceration period of about 02 years and 06 months.

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

January 28, 2026
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(SANJAY VASHISTH)
JUDGE

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