

2026 PHHC 072230



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRM-M-23400-2026

Date of decision: 8th May, 2026

Harjot Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. R.S. Sangha, Advocate for the petitioner.

Mr. Vivek Sharma, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 79 dated 19.04.2025 registered under Sections 21, 29, 27-B of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, '*NDPS Act*') and Section 223 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') at Police Station City Moga, District Moga.

2. Brief facts of the case relevant for the disposal of the present petition are that on 19.04.2025, on the basis of a secret information, co-accused Vicky Arora @ Vijay Arora, while coming in a car bearing registration number PB-10-AL-0515, was apprehended by a police party and

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recovery of 24,000 intoxicant tablets containing Tramadol Hydrochloride and drug money of Rs.52,500/- was effected from his conscious possession. Since he could not produce any valid license or permit to keep in his possession, the recovered drugs, he was formally arrested at the spot. During the course of investigation, recovery of several other intoxicant drugs was effected at his instance from a godown. Upon interrogation, he nominated the present petitioner as well as co-accused Ahmad Ali @ Makhan, Deep Kumar Goyal and Gurtaran as his accomplices. The co-accused Vicky Arora suffered another disclosure statement to the effect that he used to purchase the intoxicant substances from Balwinder Singh Dhillon and on the basis of the same, he was nominated as an accused. Recovery of 200 intoxicating tablets of Lomotil and 1300 capsules of Pregabalin was effected from his conscious possession. The petitioner was found to be already in custody in connection with another case. Her presence was secured through production warrants and she was arrested in this case on 14.05.2025. Investigation now stands concluded.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case on the basis of the disclosure statement of the co-accused which cannot be considered to be admissible in evidence. No recovery has been effected from her. The trial will take considerable time to conclude. She is in custody since 14.05.2025. No useful purpose would be served by detaining her in custody anymore. She has not misused the concession of bail previously granted to him. Co-accused have been extended

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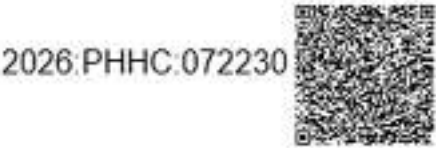
benefit of regular bail. On parity, she too deserves to be released on bail. It is, therefore, stressed that the petition deserves to be allowed.

4. Notice of motion.

5. Learned State counsel has advance notice of the petition and is ready to argue the matter. He has placed on record custody certificate of the petitioner. It is submitted by him that keeping in view the gravity of the allegations as levelled against the petitioner, she does not deserve to be released on bail. There are chances of her absconding or committing similar offences, if extended benefit of bail. Therefore, it is stressed that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by learned counsel for the parties at considerable length.

7. The petitioner is alleged to be involved in supplying intoxicating capsules/tablets to the co-accused Vicky Arora. On his disclosure statement, the petitioner was nominated as accused in this case. She is in custody since 14.05.2025. Similarly situated co-accused Ahmad Ali @ Makhan and Balwinder Singh Dillon have been extended benefit of bail. No recovery is shown to have been effected from the petitioner. The trial would obviously take time to conclude. The involvement of the petitioner in other cases cannot be considered to be a reason for denying benefit of bail to her. Keeping in view the aforesaid facts and circumstances, this Court is of the considered opinion that no useful purpose would be served by detaining the petitioner in custody anymore. Accordingly, the present petition is allowed. The petitioner



is ordered to be released on bail, subject to her furnishing personal and surety bonds to the satisfaction of the learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. It is made clear that any observation made hereinabove is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

9. In the event of there being any FIR/complaint lodged against the petitioner, it shall be open to the respondent-State to seek redressal by filing an application seeking cancellation of bail.

10. Since the main petition has already been disposed of, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

8th May, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |