

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2028.PHHC.073240



CRM-M-25434-2026 (O&M)

Date of Decision: 11.05.2026

SUMAN

... PETITIONER

VERSUS

STATE OF PUNJAB

... RESPONDENT

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. D.S.Bhinder, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) (Section 439 Cr.P.C.) in FIR No.0270 dated 09.09.2023 registered under Sections 22/29/61/85 of the NDPS Act at Police Station Tanda, District Hoshiarpur.

2. The case of the prosecution is that on 09.09.2023, a police party during routine patrolling allegedly noticed a woman who, on seeing the police, threw a black coloured polythene envelope on the roadside. Upon search, the said envelope was found to contain 385 grams of intoxicant powder. The said woman, namely Nandini @ Mani, allegedly disclosed that the recovered contraband had been procured from the present petitioner.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. Apart from the disclosure statement, there is no other evidence to connect the petitioner with the recovery of the alleged contraband. He further submits that the petitioner is in custody for the last 10 months and 04 days. He, thus, prays for grant of bail to the petitioner.

4. Notice of motion.

Mr. Sandeep Kumar, D.A.G., Punjab accepts notice on behalf of

the State and vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. He further submits that as per the custody certificate, the petitioner is in custody for the last 10 months and 04 days.

6. I have heard the learned counsel for the parties and perused the record.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner has been nominated on the basis of the disclosure statement made by the co-accused; the petitioner is in custody for the last 10 months and 04 days; the conclusion of trial is likely to take time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial. Moreover, *‘bail is rule and jail is exception’*.

8. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

9. It is clarified that while on bail so granted through the instant order the petitioner is found indulging in any other criminal case, it shall be open to the State to seek cancellation of her bail.

11.05.2026

Janki

(H.S.GREWAL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No