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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-24500-2026

Date of decision :08.05.2026

Ranjit Kaur @ Rano**....Petitioner****versus****State of Punjab****.....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Abhishek Sharma, Advocate and
Mr. Kushagra Mahajan, Advocate
for the petitioner.

Ms. Diya Sodhi, Sr. D.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed for grant of regular bail in case FIR No.108 dated 30.04.2025, under Section 21(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 27-A of NDPS Act added lateron), registered at Police Station Gharinda, District Amritsar.

2. Succinctly the facts of the case are that the police party while on patrolling on 30.04.2025 received a secret information to the effect that Ranjit Kaur @ Rano (petitioner herein), is involved in selling of heroin. It was informed that Ranjit Kaur @ Rano is at the roadside near Rajatal village to deliver heroin to her customers and if raid is conducted, she could be apprehended along with the contraband. On receiving the secret information, raiding party was constituted and reached at the place as disclosed in the secret information. A woman was seen standing by roadside, who was holding a heavy black polythene bag. On seeing the police, she got perplexed and started moving towards the fields, however,



she was apprehended by the police party. On asking, she disclosed her name to be Ranjit Kaur @ Rano. She was suspected to be carrying some contraband and thus, search was conducted. On conducting the search, 465 grams of heroin, was recovered from the polythene bag she was holding. She failed to produce any licence regarding the possession of the same. Thus, the FIR was registered and she was arrested on the spot. On registration of FIR, the investigation commenced. Samples taken were sent to FSL. The petitioner approached the Court of learned Judge, Special Court, Amritsar, praying for the grant of bail. However, after hearing both the sides, finding no merit in the same, the learned trial Court, dismissed the petition filed by the petitioner vide order dated 20.04.2026. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying for the grant of regular bail.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that evidently the case of the prosecution is based on secret information, however, there is violation of provisions of Section 42 of NDPS Act. He submits that the conscious possession itself is not proved. He submits that there is violation of mandatory provisions of Section 50 of NDPS Act, as well in conducting the search of the contraband. To buttress his arguments, he submits that the petitioner has no criminal antecedents and her false implication is writ large. He submits that the petitioner is behind bars from last more than 01 year, however, there is no material progress in the trial. He thus, submits that in the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by the counsel for the petitioner and submits that there



was a specific secret information about the present petitioner. He submits that the alleged recovery of 465 grams of heroin, effected in the present case falls under the category of commercial quantity and thus, provisions of Section 37 of NDPS Act, are attracted. He, on instructions, has submitted that out of total 12 prosecution witnesses, none has been examined so far. He has produced the custody certificate of the petitioner on record.

5. After hearing counsel for the parties and perusing the record, it is deciphered that the case of the prosecution is based on secret information. The alleged recovery is from a public place. Violation of provisions of Sections 42 & 50 of NDPS Act, are vehemently contended. As per custody certificate, the petitioner has suffered an incarceration of 01 year and 06 days as on 07.05.2026. It further reflects that the petitioner has no criminal antecedents. As submitted before this Court, out of total 12 prosecution witnesses, none has been examined so far. Needless to say that every accused has the fundamental right of speedy trial.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

7. In view of the facts and circumstances of the present case, this Court cannot ignore the fact that the speedy trial is the fundamental right of every accused. As held by the Hon'ble Supreme Court in **Mohd Muslim @ Hussain Vs. State (NCT of Delhi), 2023 LiveLaw(SC)260**, this Court is of the opinion that the case of the petitioner is covered by the ratio of law laid down by the Hon'ble Supreme Court. In the abovesaid case Hon'ble Supreme Court expressed its views as under:-

19. A plain and literal interpretation of the conditions under



Section 37 (i.e., that Court should be satisfied that the accused is not guilty and would not commit any offence) would effectively exclude grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well. Therefore, the only manner in which such special conditions as enacted under Section 37 can be considered within constitutional parameters is where the court is reasonably satisfied on a prima facie look at the material on record (whenever the bail application is made) that the accused is not guilty. Any other interpretation, would result in complete denial of the bail to a person accused of offences such as those enacted under Section 37 of the NDPS Act.

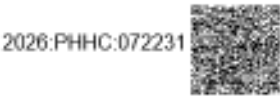
20. xxxxx

21.it would be important to reflect that laws which impose stringent conditions for grant of bail, may be necessary in public interest; yet, if trials are not concluded in time, the injustice wrecked on the individual is immeasurable.

22. xxxxx

23. *There is a further danger of the prisoner turning to crime, “as crime not only turns admirable, but the more professional the crime, more honour is paid to the criminal”²² (also see Donald Clemmer’s ‘The Prison Community’ published in 1940²³). Incarceration has further deleterious effects - where the accused belongs to the weakest economic strata: immediate loss of livelihood, and in several cases, scattering of families as well as loss of family bonds and alienation from society. The courts therefore, have to be sensitive to these aspects (because in the event of an acquittal, the loss to the accused is irreparable), and ensure that trials – especially in cases, where special laws enact stringent provisions, are taken up and concluded speedily.*

8. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.



9. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

08.05.2026
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Whether speaking/reasoned

Whether reportable

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JUDGE

Yes/No

Yes/No