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

CRM-M-27949-2026

Date of Decision: 21.05.2026

Date of Uploading: 22.05.2026

Parveen Kaur

.....Petitioner.

Versus

State of Punjab

.....Respondent.

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Rahul Sharma, Advocate
for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

SUMEET GOEL, J.(Oral)

Present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') (erstwhile 439 Cr.P.C.) for grant of regular bail to the petitioner in case FIR No.59 dated 19.03.2026 under Sections 21-B, 27-A, 29 of NDPS Act, registered at Police Station Chheharta, Amrtisar.

2. The gravamen of the allegations in the FIR in question is that the FIR in question came to be registered under the NDPS Act involving alleged recovery of 10 grams of Heroin from an accused Karanbir Singh. On the basis of his disclosure statement, the petitioner has been implicated in the instant case and 15 grams of heroin, along with drug money of Rs.1,550/- has allegedly been recovered from her.



3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 20.03.2026. Learned counsel for the petitioner has further submitted that the mandatory provisions of the NDPS Act have not been complied with, and thus, the prosecution case suffers from inherent defects. Learned counsel has further iterated that the sole basis to array the petitioner as an accused is the disclosure statement of co-accused namely Karanbir Singh, wherein after, 15 grams of Heroin was allegedly recovered from the petitioner on her confessional statement, which is non-commercial in nature. Learned counsel has further iterated that the petitioner has suffered incarceration for 01 month and 29 days. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in nature and, thus, the petitioner does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 20.05.2026 in the Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 20.03.2026 and investigation is being carried out and till date, challan *qua* her has not been presented. The contraband recovered from the co-accused Karanbir Singh is 10 grams of heroin which is non-commercial in nature. The petitioner has been implicated as an accused in the FIR in question solely on the basis of



disclosure statement of co-accused-Karanbir Singh and recovery of 15 grams of heroin, though non-commercial in nature, along with drug money Rs.1,550/- was allegedly effected from the petitioner on her confessional statement. The veracity and weightage required to be attached to the disclosure statement made by the co-accused will be fully tested at the time of trial. The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, *lest* it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.1. As per custody certificate dated 20.05.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 01 month and 29 days & is not stated to be involved in any other FIR(s).

Suffice to say, further detention of the petitioner as an undertrial is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail, if not required in any other case, on her furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/Duty Magistrate, the petitioner shall remain bound by the following conditions:-



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- (i) *The petitioner shall not misuse the liberty granted.*
- (ii) *The petitioner shall not tamper with any evidence, oral or documentary, during the trial.*
- (iii) *The petitioner shall not absent herself from any date of hearing before the trial Court.*
- (iv) *The petitioner shall not commit any offence while on bail.*
- (v) *The petitioner shall deposit her passport, if any, with the trial Court.*
- (vi) *The petitioner shall furnish her cellphone number to the Investigating Officer/SHO of the concerned Police Station and shall not change the same without prior permission of the trial Court/Illaq Magistrate.*
- (vii) *The petitioner shall not, in any manner, try to delay the trial.*
- (viii) *The petitioner shall submit, on the first working day of every month, an affidavit before the concerned trial Court to the effect that she has not been involved in the commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after her enlargement on bail in the present FIR, whether on the basis of her affidavit or otherwise, the State shall be at liberty to move forthwith for cancellation of her bail, which plea shall, of course, be considered on its own merits.*

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.

21.05.2026

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(SUMEET GOEL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No