

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

(205)

CRM-M-32542-2026 (O&M)
Date of Decision: **02.07.2026**

AMARJIT KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

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

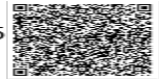
Ms. Navreet Kaur, AAG, Punjab.

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VIRINDER AGGARWAL, J. (Oral)

1. The petitioner has preferred the present, being the first petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to erstwhile Section 438 of the Code of Criminal Procedure, 1973), seeking the concession of anticipatory bail in connection with FIR No.106 dated 01.05.2026, registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Jagraon, District Ludhiana.

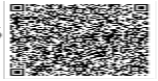
2. The prosecution case, in brief, is that on 01.05.2026, while a police party headed by SI Gursewak Singh, CIA Staff, Jagraon, was on patrol duty and searching for suspected persons near Tehsil Chowk, Jagraon, the Investigating Officer received credible secret information that Davinder Singh, son of Jarnail Singh, resident of Tarewala, Moga, and



Jyoti, wife of Mohit, resident of Lahorianwala Mohalla, Moga, were habitual traffickers of heroin and were waiting near Remembary Gate, Kothe Aath Sath Chak, G.T. Road, Jagraon, to supply contraband to prospective customers. Treating the information as reliable, the Investigating Officer sent a *ruqa* to Police Station City Jagraon, pursuant to which FIR No.106 dated 01.05.2026 was registered under Section 21 of the NDPS Act, 1985. Compliance with Section 42 of the NDPS Act was also effected by forwarding the requisite report to the superior police officers.

3. Learned counsel for the applicant-petitioner submits that the petitioner has been falsely implicated solely on the basis of the disclosure statements allegedly made by the co-accused and that no recovery whatsoever has been effected from her possession or at her instance. It is contended that there is no independent incriminating material connecting the petitioner with the alleged contraband, rendering her custodial interrogation wholly unnecessary. Reliance has been placed upon the judgment of the Hon'ble Supreme Court in ***Jugraj Singh v. State of Punjab*** (***Law Finder Document ID #2768816***) to contend that anticipatory bail has been granted in similar circumstances where implication rested merely upon disclosure statements.

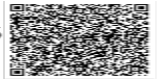
4. Per contra, learned State counsel, on the basis of the status report filed by way of affidavit of Sagar, PPS, DSP (D), Jagraon, District Ludhiana (Rural), which is taken on record, has vehemently opposed the petition. It is submitted that the present case pertains to the recovery of a commercial quantity of heroin from the co-accused, who have specifically



disclosed that the contraband had been procured from the present applicant-petitioner. It is further contended that the petitioner is not only connected through the disclosure statements but is also linked with the co-accused by electronic evidence, including Call Detail Records, which reveal frequent telephonic communication between the petitioner and co-accused Jyoti Kaur, including conversations on the very date of the recovery. It is pointed out that as many as 86 calls were exchanged between them and that the petitioner had also contacted co-accused Davinder Singh on the date of the occurrence. Learned State counsel has further submitted that the petitioner is a habitual offender, having twelve previous criminal cases registered against her, the majority of which pertain to offences under the NDPS Act, thereby disentitling her to the extraordinary concession of anticipatory bail.

5. I have heard learned counsel for the parties at considerable length and have meticulously perused the paper-book and the material placed on record with their able assistance.

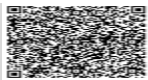
6. Having bestowed my thoughtful consideration to the rival submissions and the material available on record, this Court is of the prima facie view that the applicant-petitioner has failed to make out a case warranting the grant of the extraordinary discretionary relief of anticipatory bail. It is not a case where the implication of the petitioner rests solely upon the disclosure statements of the co-accused. The investigation has also unearthed electronic evidence in the form of Call Detail Records (CDRs), which prima facie establish frequent and continuous telephonic contact between the applicant-petitioner and the co-



accused, including communications immediately preceding and on the date of the alleged recovery. The prosecution has further placed on record the antecedents of the applicant, revealing her involvement in twelve previous criminal cases, the majority of which pertain to offences under the Narcotic Drugs and Psychotropic Substances Act, 1985. Such antecedents, coupled with the nature and gravity of the allegations, the recovery of a commercial quantity of contraband from the co-accused, and the material collected during investigation, prima facie indicate the applicant's active nexus with the alleged illicit trafficking of narcotic substances.

6.1. At this stage, custodial interrogation of the applicant-petitioner appears to be necessary for conducting a fair, effective and meaningful investigation, particularly for ascertaining the source of the contraband, tracing the supply chain, identifying other participants in the alleged narcotic network, and unearthing the complete modus operandi of the offence. In the facts and circumstances of the present case, this Court does not find any exceptional circumstance justifying the exercise of its extraordinary jurisdiction under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Accordingly, without expressing any opinion on the merits of the prosecution case, the present petition, being devoid of merit, is hereby **dismissed**.

7. It is, however, clarified that the observations recorded hereinabove are purely prima facie in nature and have been made solely for the purpose of deciding the present petition. Nothing contained in this order shall be construed as an expression of opinion on the merits of the



case or on the truthfulness of the allegations levelled against the applicant-petitioner. The observations made herein shall neither prejudice nor influence the investigation, the trial, or any other proceedings arising out of the present FIR. The learned Trial Court shall independently appreciate the evidence brought before it, uninfluenced by any observation contained in this order.

8. Consequent upon the final adjudication of the present petition, all pending miscellaneous applications, if any, arising out of or connected with these proceedings, shall also stand disposed of. No separate or further orders are required to be passed in respect thereof.

02.07.2026
Gaurav Sorot

(**VIRINDER AGGARWAL**)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No