



CRM-M-33059-2026

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

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CRM-M-33059-2026
Decided on: 02.07.2026

Raj

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Akun Sheemar, Advocate
for the petitioner.

Mr. Vinay Malhotra, DAG Punjab

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of in FIR No.97 dated 25.04.2026, registered under Section 22 of NDPS Act (Section 29 of NDPS Act added later on) at Police Station Tanda, District Hoshiarpur.

2. As per case of the prosecution, on 25.04.2026 while police team was on patrolling, one accused namely Ajay Kumar was noticed, who on seeing the police party took out a heavy black wax envelope from the right pocket of his pyjama and threw it into the bushes. After applying due procedure, search was effected of the polythene bag and from it 35 loose tablets were recovered.

Subsequently, on the basis of disclosure statement of arrested accused Ajay Kumar, the investigating agency developed its version that it was petitioner



and his son namely Gourav have been distributing the said tablets in the area after purchasing it from some unknown persons.

3. Learned counsel for the petitioner argues that except of the said disclosure statement which is completely inadmissible evidence, there is no other material/evidence collected during investigation against the petitioner. Thus, prays for grant of bail.

4. On the other hand learned State counsel submits that custodial interrogation of the petitioner would be necessary to acquire knowledge as to from the source she and her son had been collecting the loose intoxicating tablets and then circulating it to the different people in the area, thus, prays for dismissal of the present petition.

5. I have considered the submissions addressed by respective counsel for the parties and also gone through the record.

6. Undoubtedly, except of the disclosure statement, there is no other evidence pointed out by learned State counsel during the course of hearing of the petition. The recovery of intoxicating tablets is already effected that too from the main accused Ajay Kumar.

7. In view of the aforementioned discussion, this Court do not find any substantial reason for subjecting the petitioner for custodial interrogation.

8. Accordingly, petitioner is directed to join the investigation within two weeks from today, or as and when called by the investigating agency, and in the eventuality of the arrest, petitioner would be released on anticipatory bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

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9. Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possesses. Otherwise, would submit an affidavit, disclosing the fact that she does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.

10. However, it is clarified that if the petitioner fails to join and cooperate with the investigation, in terms of directions mentioned in the present order, it shall be open for the Investigating Officer to proceed immediately to arrest the petitioner, in accordance with law.

11. With the directions issued here above, present petition stands disposed of.

02.07.2026

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

~~YES/NO~~
~~YES/NO~~