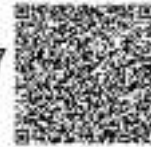


IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

108

2026:PHHC:032227



CRM-M-45962-2025 (O&M)
Date of decision: 27.02.2026.

PIRAM @ PREMA

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Sandeep Saini, Advocate,
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

This is the first petition filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, for grant of regular bail to the petitioner in
case bearing FIR No.171 dated 11.05.2024, under Section(s) 20 and 29 of the
Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police
Station Zirakpur, District S.AS. Nagar, Punjab.

Tersely, the case of prosecution is that on 11.05.2024, when
police officials was on patrolling duty near the Kohinoor Dhaba, Zirakpur.

They received a secret information to the effect that accused namely Aas

Bahadur and his wife Piram @ Prema residents of Nepal are in the possession of heavy quantity of Charas, which they have brought from Nepal. Secret informer further disclosed that they both had just alighted from the bus at Dera Bassi and are going towards Mohali. If nakabandi is conducted, they can be apprehended with huge quantity of charas. Since the information was believed to be reliable, ruqa was sent to the police station for registration of case. Acting on the aforesaid information, petitioner along with her husband were intercepted and found in conscious possession of 3.5 Kg of Charas, regarding which they could not produce any permit or license. Accordingly, they were apprehended by the police. Thereafter, instant FIR was lodged and petitioner was arrested on 11.05.2024 and since then she is in custody.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was accompanying her husband and was not aware that her husband was carrying contraband in the bag. He submits that it would thus be arguable issue during trial as to whether the petitioner was in conscious possession of the contraband or not. He submits that the petitioner is woman aged 40 years and has already undergone an actual custody of more than 01 year and 09 months and only two witnesses out of 10 witnesses cited by the prosecution have been examined so far. He contends that thus trial shall take a long time to conclude. It is further argued that husband of petitioner is already in police custody, hence, there is no likelihood of the petitioner absconding from the process of law.

State counsel does not dispute the facts as noticed above, however, he contends that the contraband was in joint possession of the petitioner as well as her husband. Stage of the trial, clean antecedents of the

petitioner as well as period of custody undergone by her has not been disputed by the State counsel.

Having heard the learned counsel for the parties and taking into consideration that the petitioner is a woman aged 40 years, her clean antecedents, stage of the trial and the fact that arguable issue would arise with respect to the conscious possession of the petitioner, I deem it appropriate to allow the present petition. Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail on her furnishing requisite bail bond/surety bond to the satisfaction of the Trial Court/Duty Magistrate, concerned.

It is made clear that the petitioner shall not extend any threat and shall not influence any prosecution witnesses in any manner directly or indirectly.

The observation made hereinabove shall not be construed as an expression on the merits of the case and the trial Court shall decide the case on the basis of available material.

February 27, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No