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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-58077-2025

Date of decision: 11th March, 2026

Manjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. A.S. Khinda, Advocate for the petitioner.

Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner seeking grant of regular bail in case bearing FIR No. 209 dated 31.12.2021 registered under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') at Police Station Subhanpur, District Kapurthala.

2. The aforementioned FIR was registered on the allegations that on 31.12.2021, the petitioner was apprehended and recovery of 125 grams of intoxicant substance Alprazolam had been effected from her conscious possession. She was formally arrested. She was extended benefit of interim bail by the trial Court till the receipt of FSL report. However, after receipt of FSL report, she was directed to surrender. She did not appear before the trial

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Court despite issuance of notices, bailable warrants and non-bailable warrants. Her interim bail was cancelled on 27.01.2025. Proceedings for declaring her as a proclaimed person had been initiated and she was declared as such on 09.05.2025. She was re-arrested on 22.05.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She has remained in custody for a period of over ten months. Trial will take considerable time to conclude. No useful purpose would be served by keeping her in custody anymore. It is, therefore, argued that the petition deserves to be allowed.

4. *Per contra*, learned State counsel has argued that the allegations against the petitioner are serious in nature as commercial quantity of contraband had been recovered from her. Moreover, she has misused the concession of bail granted to her and did not surrender after receipt of FSL report despite issuance of notices, bailable warrants and non-bailable warrants. Her presence could be secured only after she was declared a proclaimed person. There are chances of petitioner's absconding again, if extended benefit of bail. Her antecedents are not clean since she is involved in one more case of similar nature. The rigors of Section 37 of NDPS Act are attracted in this case. Therefore, it is stressed that the petition does not deserve to be allowed.

5. This Court has heard learned counsel for the parties at considerable length.

6. The petitioner was allegedly found in conscious possession of commercial quantity of intoxicating substance Alprazolam. It is apparent that

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she had been granted interim bail vide order dated 02.02.2022 by the trial Court and was even declared a proclaimed person. She has now remained in custody w.e.f. 22.05.2025. The recovery allegedly effected from her is commercial quantity, as such, rigors of Section 37 of NDPS Act are attracted in this case. The trial is going on a proper pace. Taking into consideration the gravity of the allegations as levelled against the petitioner, her act and conduct of absconding and being declared a proclaimed person and the attendant facts and circumstances of the case, this Court is of the considered opinion that the petitioner does not deserve to be released on bail. Accordingly, the petition is dismissed.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and shall not influence the outcome of the trial.

8. Since the main petition has already been decided, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

11th March, 2026
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |