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

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**CRM-M No.60519 of 2025
Date of decision: 13.01.2026**

Babli Kaur

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Baljeet Beniwal, Advocate,
for the petitioner.

Ms. Himani Arora, DAG, Haryana,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. 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. 948 dated 21.12.2024 registered under Section 20 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') (Section 29 of NDPS Act added later on) at Police Station Sector 58, District Faridabad.

2. The aforementioned FIR was registered on the allegations that on 21.12.2024, on the basis of a secret information to the effect, that the

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present petitioner along with co-accused Asha Kaur and Wasim was involved in the business of sale of contraband and on that very day also, they were present near Babe Da Dhaba, village Sikri along with some contraband and were waiting for someone and that they could be apprehended along with the contraband, a raiding party was immediately formed by ASI Sandeep Kumar. They reached at the informed place. The petitioner and co-accused who were standing there, were identified by secret informer. They were apprehended. Requisite notices were issued. The plastic bags were checked and 15 kg and 460 grams of *ganja* was recovered from the bag carried by the accused Wasim whereas, 15 kg and 330 grams of *ganja* was recovered from the plastic bag carried by accused Asha and 15 kg and 260 grams of *ganja* was recovered from the bag of the petitioner. The same were taken into possession by the police. After completion of necessary investigation and usual formalities, challan was presented in the Court and presently, the petitioner along with the co-accused is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. She is in custody since 21.12.2024. The trial is likely to take time as not even a single witness has been examined so far. She does not have any criminal antecedents. The recovery from her is not of commercial quantity of contraband. The co-

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accused Wasim whose case is on similar footing has been extended benefit of bail. With these broad submissions, it is urged that she deserves to be released on bail. In support of his arguments, learned counsel for the petitioner has placed reliance upon authorities of Hon'ble Supreme Court in *Rabi Prakash vs. State of Odisha, 2023 SCC Online SC 1109, SLP No. 12225 of 2024* titled as *Md. Tajiur Rahaman @ Tajiur Rahaman vs. The State of West Bengal* decided on 28.06.2024, *Dheeraj Kumar Shukla vs. State of Uttar Pradesh, 2023 SCC Online SC 918, SLP No. 7115 of 2024* titled as *Shorabh Khan vs. State of Madhya Pradesh* decided on 02.01.2024, *Ramlal vs. State of Rajasthan, 2024 SCC Online Sc 2594* and has placed reliance upon the judgments passed by the co-ordinate Benches of this High Court in *Vivek Kumar @ Dablu vs. State of Haryana* decided on 08.04.2024, *Sonu vs. State of Haryana, 2025: PHHC: 069018* and *Rahul vs. State of Haryana, 2025:PHHC:086285*.

4. Status report has been filed. It is argued by learned Deputy Advocate General, Haryana that keeping in view the gravity of the allegations as levelled against the petitioner, she does not deserve to be released on bail. Therefore, it is urged that the petition does not deserve to be allowed.

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

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considerable length.

6. The petitioner along with the co-accused is alleged to be found in possession of *ganja*. The recovery which was effected from her possession was 15 kg and 260 grams. She has been in custody since 21.12.2024. The co-accused Wasim has been extended benefit of bail. No prosecution witnesses has been examined so far. Obviously the trial will take considerable time to conclude. In *Md. Tajiur Rahaman's case (supra)*, *Dheeraj Kumar Shukla's case (supra)* and *Shorabh Khan's case (supra)*, the Hon'ble Supreme Court had extended benefit of bail to the accused keeping in view the fact that they had no criminal antecedents, the period of their custody as well as the fact that the trial would take time. In *Sonu's case (supra)* and *Rahul's case (supra)*, the Co-ordinate Benches of this High Court had extended benefit of bail to the accused by observing that the trial was likely to take sufficiently long time and that the contraband allegedly recovered from the accused was of marginally higher quantity. Keeping in view the above discussed facts, this Court is of the considered opinion that the petitioner has made out a case for release on bail. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal/surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.

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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.

13.01.2026

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(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No