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

CRM-M-62381-2025

Date of decision :13.03.2026

Kiran Rani @ Kirna Rani**....Petitioner****versus****State of Punjab****.....Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Raghav Goyal Chandiwalla, Advocate
for the petitioner.

Mr. Raj Karan Singh, A.A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed for grant of regular bail in case FIR No.147 dated 25.09.2022, under Section 22(B), 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kabarwala, District Sri Muktsar Sahib.
2. Succinctly the facts of the case are that the Police party while on patrolling on 25.09.2022, saw a lady coming on foot, near Semnala bridge, holding a plastic polythene bag in her right hand. On seeing the police she got perplexed and threw the plastic polythene bag on the road. On suspicion, she was apprehended by the police party. On asking, she disclosed her name to be Kiran Rani @ Kirna Rani (present petitioner). She was suspected to be carrying some contraband in the plastic bag thrown by her as some strips were clearly seen in the polythene and thus, search of the same was conducted. On conducting the search, 300 tablets of Clobedol-100 SR were recovered from the same. She failed to produce



any license regarding possession of the same and hence, the FIR was registered and she was arrested on spot. The investigation commenced. The samples taken were sent to the FSL. On receipt of FSL report, challan was presented and on framing of charges, trial commenced. The petitioner approached the Learned Additional Sessions Judge, Sri Muktsar Sahib, praying for grant of bail and the same was allowed after hearing both the sides by Learned trial Court, Sri Muktsar Sahib vide order dated 29.11.2022. However, the petitioner jumped the bail on 04.06.2024 and ultimately was declared a proclaimed offender on 15.12.2024. The petitioner, thereafter, approached this Court by way of filing of CRM-M-56031-2024, which was disposed of by directing the petitioner to surrender before the trial Court but she could not surrender and thus, was arrested on 20.08.2025. The petitioner again approached the learned Additional Sessions Judge, Sri Muktsar Sahib, praying for grant of bail, however, finding no merit, the same was declined after hearing both the sides by Learned trial Court vide order dated 15.09.2025. Aggrieved by the same, the petitioner is before this Court praying for grant of bail by way of filing of present petition.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that the alleged recovery has been effected from a public place, however, no independent witness was joined by the investigating agency. He submits that the alleged recovery from the petitioner was 300 tablets of Clobedol-100 SR containing salt Tramadol Hydrochloride and on weighing the same comes to 120.852 grams. He submits that the alleged recovery which has been effected falls under the category of non-commercial quantity and thus, the petitioner was granted bail by learned trial Court,



however, as the petitioner remained absent, hence, her bail was cancelled and thereafter, she was arrested on 20.08.2025 and since then she is behind bars. He submits that though the petitioner is involved in 03 other cases, however, she is on bail in those cases. He submits that admittedly the alleged recovery is of non-commercial quantity and thus, provisions of Section 37 of NDPS Act, are not attracted in the present case. He submits that the investigation is complete and thus, in the facts and circumstances of the case, the petitioner deserves to be granted bail.

4. Per contra, learned State counsel has opposed the submissions made by the counsel for the petitioner and submits that the petitioner had misused the concession of bail granted to her by learned trial Court. He submits that after having been granted the bail, she jumped the bail and thus, was declared a proclaimed offender on 15.12.2024. He submits that the petitioner is involved in other cases as well. He, on instructions, has submitted that investigation is complete. He has produced the custody certificate of the petitioner on record.

5. After hearing counsel for the parties and perusing the record, it is deciphered that as per the case of the prosecution the alleged recovery of 300 tablets containing Tramadol, has been effected from from a public place. Admittedly, the recovery effected in the present case is non-commercial quantity and thus, provisions of Section 37 of NDPS Act, are not attracted. As per custody certificate, the petitioner has suffered incarceration of 08 months and 23 days as on 12.03.2026. Though the petitioner is involved in 03 more cases, however, in 02 of the cases, she is on bail. Investigation in the present case is already complete.

6. The veracity of the allegations would be assessed only after conclusion of the trial and on the appreciation of evidence to be led by

both the parties before the trial Court. The trial of the case will take sufficiently long time. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail to the petitioner.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

8. In case the bail bonds are not furnished by the petitioner during the period of 07 days from today, then her further custody period after one week will not be counted in the present case.

13.03.2026
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(RAJESH BHARDWAJ)
JUDGE

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