

2026:PHHC:047362



(121) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-62833-2025

Date of decision: 25.03.2026

SURINDER KAUR

.... Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: None for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 483 BNSS, 2023 is for the grant of regular bail in case FIR No.110 dated 20.07.2025 registered under Sections 22 & 27 of NDPS Act at Police Station Anandpur Sahib, District Ropar.

2. The brief facts of the case are that Surinder Kaur (petitioner) and Daljit Singh were apprehended with 34 grams of intoxicant powder subsequently found to contain the salt Alprazolam.

3. The matter has been called twice. However, no one has put in appearance on behalf of the petitioner.

4. On the other hand, the learned State counsel contends that the petitioner is a habitual offender. She is an accused in 03 other cases arising out of FIR No.59 dated 08.06.2016 U/s 22 NDPS Act, P.S. Sri Anandpur

Sahib, District Rupnagar, FIR No.114 dated 20.10.2017, U/s 21 NDPS Act, P.S. Nurpur Bedi, District Rupnagar and FIR No.50 dated 25.07.2019, U/s 22 NDPS Act, P.S. Sri Anandpur Sahib, District Rupnagar Therefore, keeping in view the antecedents of the petitioner, she is not entitled to the concession of bail, moreso in view of the bar contained in Section 37 of the NDPS Act.

5. I have heard the learned counsel for the parties.
6. The details of other FIRs registered against the petitioner are as under:-

Sr. No.	FIR Nos. and date	Sections	Police Station	Status
1.	FIR No.59 dated 08.06.2016	22 of NDPS Act	Sri Anandpur Sahib, District Rupnagar	Convicted on 23.01.2018
2.	FIR No.114 dated 20.10.2017	21 NDPS Act	Sri Anandpur Sahib, District Rupnagar	Convicted on 01.12.2018
3.	FIR No.50 dated 22.04.2021	22 NDPS Act	Sri Anandpur Sahib, District Rupnagar	Convicted on 13.03.2024

7. Apparently, the petitioner is serial offender with multiple other cases registered against her under the NDPS Act.
8. This Court in the case of Soni Singh @ Chamkaur Singh Versus State of Punjab, CRM-M-31645-2022, decided on 20.10.2022, held as under:-

“Admittedly, the petitioner in the present case is named in the disclosure statement of the arrested accused. Subsequently thereto 3Kgs of Poppy Husk was recovered at his instance which is a non commercial quantity. It may be relevant to mention here that limitations to the grant of bail under Section 37 of the NDPS Act are in addition to those prescribed under Cr.PC or any other law in force on the grant of bail as has been set out by the Hon'ble Supreme Court in Satpal Singh Vs. State of Punjab 2018(5) RCR (Criminal) 152. In the present case, the petitioner is involved in two other cases under the NDPS Act. Thus, as he is a habitual offender, he is not entitled to the grant of bail even under Section 439 Cr.PC keeping in view his antecedents. Even otherwise, assuming that the rigors of Section 37 of the NDPS Act did not apply to the petitioner, that by itself would not ipso facto lead to the grant of bail to the petitioner.

In view of the above discussion, I find no merit in the present petition and the same is therefore dismissed.”

9. In fact, when there are multiple FIRs against an accused over a significant period of time, then the twin conditions as envisaged under Section 37 of the NDPS Act that he had not committed an offence and was not likely to commit an offence cannot be satisfied. Further, the limitation to the grant of bail under Section 37 of the NDPS Act are in addition to those prescribed under the Cr.P.C. or any other law in force on the grant of bail. Thus, a habitual offender is not entitled to the grant of bail even under the provisions of the Cr.P.C. keeping in view his criminal antecedents even though, his co-accused who are similarly situated may have been granted the said concession.

10. Keeping in view the allegations levelled against the petitioner as well as her antecedents the satisfaction under Section 37 of the NDPS Act that she has not committed an offence and is not likely to commit one in the

future cannot be recorded.

11. Therefore, I do not deem it appropriate to grant them the concession of bail and hence, the present petition stands dismissed.
12. However, the Trial Court is directed to conclude the Trial as expeditiously as possible but in any case not later than 06 months from the next date of hearing fixed before it.
13. The pending application(s), if any, shall stand disposed of accordingly.

(JASJIT SINGH BEDI)
JUDGE

25.03.2026
Jitesh

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