



CRM-M-64064-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-64064-2025
Decided on: 03.02.2026

Pooja

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sahil Gupta, Advocate and
Ms. Dolli Sharma, Advocate
for the petitioner.

Mr. Iqbal Preet Singh, AAG Punjab

SANJAY VASHISTH, J. (ORAL)

1. Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of FIR No.168 dated 27.07.2025, under Sections 21, 27-A, 29, 61 and 85 of NDPS Act, at PS Jandiala, District Amritsar Rural.

2. On 14.11.2025, following order was passed:

“(i) Prayer in this petition, filed under Section 482 of the BNSS, 2023 (earlier Section 438 Cr.P.C.), is for grant of anticipatory bail to the petitioner, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:

Name of Petitioner(s)	FIR No.	Date	Section(s)	Police Station	District
Pooja	168	27.07.2025	21, 27-A, 29, 61 and 85 of NDPS Act	Jandiala	Amritsar Rural

(ii) As per the case of the prosecution, while the police was on patrolling duty,



accused Kajal and Sarabjit were apprehended. Heroin ₹ weighing 10.15 grams along with 1,200/- was recovered from accused ₹ Kajal, and 1,900/- was recovered from accused Sarabjit. On the basis of the disclosure statements of both arrested accused, the name of one Sajan surfaced in the case; however, nothing was recovered from her. Nevertheless, the disclosure statement of Sajan was recorded to the effect that the contraband was being received from Pooja (the petitioner herein) and one Raj, who were allegedly supplying narcotic drugs/contraband on a routine basis.

(iii) Learned counsel for the petitioner contends that since nothing was recovered from the possession of Sajan, she could not be treated as an accused in the present case. Therefore, recording of her disclosure statement, and consequential implication of the petitioner and Raj as accused, is not admissible evidence in the eyes of law. He further submits that except for the disclosure statements, no other substantive or corroborative evidence has been collected during the investigation.

Learned counsel for the petitioner also submits that no other case has ever been registered against her under the provisions of the NDPS Act. Moreover, petitioner is ready and willing to join the investigation if granted protection from arrest.

(iv) Notice of motion.

On advance notice, Mr. Vinay Malhotra, DAG, Punjab puts in appearance on behalf of the respondent – State. He seeks some time to file reply.

(v) Adjourned to 03.02.2026.

(vi) In the meanwhile, the petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, the petitioner shall be released on interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also be abide by all the conditions laid down under Section 482(2) of BNSS, 2023 (earlier Section 438(2) Cr.P.C.).

(vii) Besides, it is directed that petitioner would hand over her passport to the Investigating Agency or to Court concerned, if she possesses. Otherwise, would submit an affidavit, disclosing the fact that she does not possess any passport.

It is also directed that before leaving country any time during trial, petitioner would seek prior permission of the Court.”

3. Learned counsel for the petitioner submits that in pursuance to the directions issued by this Court vide order dated 14.11.2025, the petitioner has joined investigation.

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4. Learned State counsel on instructions from ASI Lakhwinder Singh, confirms the said averment made by counsel for the petitioner of joining the investigation by the petitioner on 27.11.2025, and submits that as of now, custodial interrogation of the petitioner is not required for the purpose of investigation.

5. Heard learned counsel for the parties.

6. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 14.11.2025 passed by this Court is hereby made absolute. Accordingly, present petition is allowed.

7. The petitioner shall continue to join the investigation as and when required to do so and abide by all the terms and conditions laid down under Section 482(2) of BNSS, 2023.

8. However, present order would be subject to the submission of his passport to the Investigating Agency or to Court concerned, if he possesses, within a period of one week from today. Otherwise, he would submit an affidavit, disclosing the fact that he does not possess any passport.

9. It is clarified that in case, aforesaid condition is not complied with, this order would be considered as *non est* automatically.

03.02.2026

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**(SANJAY VASHISTH)
JUDGE**

Whether Speaking/Reasoned:
Whether Reportable:

~~YES/NO~~
~~YES/NO~~