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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-68828-2025
Decided on : 23.02.2026

Jaswinder Kaur . . . Petitioner(s)

Versus

State of Punjab . . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Amit Dhawan, Advocate
for the petitioner(s).

Mr. Neeraj Madaan, Sr. DAG, Punjab
assisted by ASI Jugraj Singh, 758/Jalr.
PS Mehatpur, Jalandhar Rural

SANJAY VASHISTH, J. (Oral)

1. In the present case, on 08.12.2025, following order was passed
by this Court:-

“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 & age of Petitioner (s)	FIR No.	Date	Section(s)	Police Station	District
Jaswinder Kaur	36	18.03.2025	21(a) of NDPS Act (Sections 29, 61 of NDPS Act were added later on)	Mehatpur	Jalandhar (Rural)

ii) Learned counsel for the petitioner, inter alia, contends that during the course of police patrolling, from car make Ford Classic bearing registration No. PB-09-P-9065, a polythene bag placed near the gear lever of the car was found to contain 4 grams of Heroin. Counsel submits that the said car was driven by co-accused Chandan Sharma @ Raju, while Sahil Kumar @ Sanju was a co-passenger.

iii) Learned counsel further contends that the recovered quantity falls under the category of a small quantity. Moreover, petitioner’s name is not mentioned in the FIR, and therefore, she is not the main accused. It is submitted that the petitioner’s name was disclosed only subsequent to the arrest of the main accused, allegedly showing her role in supplying Heroin to the main accused, and on that basis, she was implicated as an accused in the present case.

iv) Further, learned counsel submits that the petitioner, Jaswinder Kaur, is 36 years old and has no prior involvement in any



activity punishable under the NDPS Act, except for another case registered against her under Section 105 BNS, in which interim bail has already been granted.

Moreover, the petitioner is ready and willing to cooperate with the investigation if she is protected from arrest. Thus, learned counsel prays for the grant of anticipatory bail to the petitioner.

v. *Notice of motion.*

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

vi. *Adjourned to 23.02.2026.*

vii. *In the meanwhile, petitioner is directed to join the investigation as and when required to do so by the Investigating Agency. In the event of her arrest, petitioner shall be released on interim bail, subject to her furnishing bail bonds to the satisfaction of the Arresting Officer. 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.).*

viii. *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.”

2. Continuing his submissions, learned counsel for the petitioner contends that in compliance of the order dated 08.12.2025, passed by this Court, petitioner has joined the investigation, and has fully co-operated. Therefore, he prays for confirmation of the said interim anticipatory bail order.

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

4. Heard learned counsel for the parties.

5. Since, petitioner has already joined the investigation and custodial interrogation is no more required; ad-interim bail order dated 08.12.2025, passed by this Court is hereby made **absolute**. Accordingly, present petition is **allowed**.



However, 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.

6. Accordingly, petition stands **disposed of**.

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

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

Pending misc. application(s), if any, also stand disposed of.

(SANJAY VASHISTH)
JUDGE

February 23, 2026

J.Ram

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>