



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

CRM-M-70098-2025

Date of decision :25.02.2026

Raje @ Raj Rani

....Petitioner

versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Nirmaljeet Singh Sidhu, 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.244 dated 30.10.2025, under Section 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Bathinda, District Bathinda.

2. Succinctly the facts of the case are that the Police party while on patrolling on 30.10.2025, a woman was seen coming on foot, who on seeing the police got perplexed and threw a polythene packet on the ground. On suspicion, she was apprehended by the police party. On asking, she disclosed her name to be Raje @ Raj Rani. She was suspected to be carrying some contraband in the polythene being thrown by her and thus, the search of the same was conducted. On conducting the search, 6.97 grams of heroin was recovered from the polythene having been thrown by her. 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 Judge, Special Court, Bathinda praying for grant of bail, however, finding no

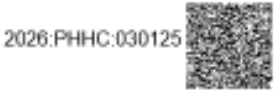


merit, the same was declined after hearing both the sides by Learned trial Court, Bathinda vide order dated 01.12.2025. Aggrieved by the same, the petitioner is before this Court by way of filing of present petition for grant of bail.

3. Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. He submits that the compliance of Section 50 of NDPS Act, was mandatory in conducting the search, however, there is violation of the same as well. 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 even otherwise the alleged recovery is of 6.97 grams heroin, which is marginally above the small quantity. He submits that though the petitioner is involved in 04 more cases, however, she is on bail in those cases. He submits that the petitioner is the mother of 03 years old girl child who is living away from her mother. He thus, submits that 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 is a habitual offender who is involved in 04 other cases, out of which, she has been convicted in 01 case. On conducting the search, 6.97 grams of heroin was recovered from her, which is a marginally above the small quantity. He, on instructions, has submitted that out of total 14 prosecution witnesses, only 02 witnesses have been examined so far. 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 the alleged recovery of 6.97 grams of heroin is from a



public place, which is marginally above the small quantity. Petitioner is behind bars since the date of her arrest i.e. 30.10.2025. As per custody certificate, the petitioner has suffered incarceration of 03 months and 20 days as on 24.02.2026. Though the petitioner is involved in 04 more case, however, she is on bail in 03 of the cases. As submitted before this Court, out of total 14 prosecution witnesses, only 02 witnesses have been examined till date.

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.

25.02.2026
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(**RAJESH BHARDWAJ**)
JUDGE

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