



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

117

CRM-M-73237-2025 (O&M)

Date of decision : 20.02.2026

Aman Rozi @Aman Rozy

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH

Present : Mr. Suram Singh Rana, Advocate for the petitioner.

Mr. Eklavya Darshi, Deputy Advocate General, Punjab.

SURYA PARTAP SINGH, J.

This petition for bail, which is third petition filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed with regard to a case arising out of FIR No.57 dated 27.04.2024, for the commission of offence punishable under Sections 21(c), 25, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, hereinafter being referred to as 'NDPS Act', Police Station Division No.1, in Police Commisionerate, District Jalandhar.

2. The abovementioned FIR came into being at the instance of 'SI Sukhraj Singh', who had reported that on 27.04.2024, when he was heading a team of police officials, deputed for patrolling duty, at Bhagat Singh Colony bypass he spotted one Innova Car bearing Registration No.PB08-BS-2958 heading towards GT road. As per above-named police officer for



the purpose of usual checking, when he signalled the car driver to stop, instead of stopping the car, he tried to flee from the spot. According to above-named police officer, in view of above-mentioned suspicious behavior the car was intercepted and its driver was apprehending, who on enquiry disclosed his name as Satnam Singh @Babby. As per report submitted by the above-named police officer, on the basis of suspicion when search of the car was conducted, a black colour bag was found therein and on checking, it was revealed that there were 08 packets of Heroin in the above-mentioned bag and Rs.21 lacs drug money. On measurement the weight of each packet came out to be 01 kg. (total 8 kg.).

3. It is the case of the prosecution that pursuant to abovementioned recovery, requisite formalities with regard to seizure and sealing of contraband, lodging of FIR and arrest of accused were performed and further investigation taken up. According to prosecution during the course of investigation, when the above-named accused Satnam Singh was interrogated, he suffered several disclosure statements, one after the other, and in the above-mentioned disclosure statements he revealed the names of the persons who were involved in the activities of sale and purchase of Heroin.

4. It is the further case of the prosecution that during the course of further investigation, it came on surface that Daljit Singh used to provide the truck to supply the Heroin to co-accused Satnam Singh, Hardeep Singh, Aman Rozi (petitioner herein) and Khushal Singh and thereafter, they have



been arrested in this case. According to prosecution, from the possession of Hardeep Singh and Aman Rozi (petitioner herein), 40 kg of Heroin was recovered and from the possession of Kushal Singh, 500 gm of Heroin was recovered.

5. **Notice of motion.**

6. Mr. Eklavya Darshi, Deputy Advocate General, Punjab appears on behalf of respondent-State. Hence service of notice upon the State is hereby dispensed with. The learned State Counsel has filed custody certificate of the petitioner. The same be taken on record. No formal reply has been filed by the State. However, the learned State Counsel has orally opposed the present petition.

7. Heard.

8. It has been contended by learned counsel for the petitioner that the petitioner is innocent, who has already suffered a prolonged incarceration for being in custody for a period of more than one year and nine months. According to learned counsel for the petitioner, the petitioner has clean antecedents, and that the trial is not likely to be concluded in near future. It has also been contended by learned counsel for the petitioner that the petitioner being a female deserves a lenient view and therefore, she is entitled for the benefit of bail.

9. The learned State Counsel has controverted the above-mentioned arguments. It has been contended by learned State Counsel that in



the present case, very huge quantity of contraband has been recovered from the possession of petitioner and her co-accused. As per learned State Counsel since the quantity of contraband recovered in this case comes within the ambit of 'commercial quantity', unless the twin conditions enshrined under Section-37 of NDPS Act are satisfied, the benefit of bail should not be accorded to the petitioner.

10. The record has been perused carefully.

11. A perusal of record shows that in the present case, following are the relevant factors which are required to be taken into consideration, for arriving at any decision: -

- i) that the contraband recovered from the possession of petitioner and her co-accused is a huge quantity and comes within the ambit of 'commercial quantity'. Thus, without satisfying the twin conditions, enshrined under Section-37 of NDPS Act, the petitioner is not entitled for the benefit of bail;
- ii) that the allegations against the petitioner are quite specific, categorical and direct, that she was in conscious possession of contraband;
- iii) that the present case does not come within the category of case, wherein it can be observed that due to prolonged incarceration, the petitioner is entitled for bail as the quantity recovered in this case is very huge; and
- iv) that there is nothing on record to show that the twin conditions enshrined under Section-37 of NDPS Act stands satisfied in this case.



12. If the cumulative effect of all the abovementioned factors, involved in the instant case, is taken into consideration it leads to a conclusion that at this stage the petitioner is not entitled for the benefit of bail, and that the present petition being devoid of merit deserves dismissal.
13. Accordingly, the present petition is hereby *dismissed*.
14. However, it is clarified that the abovementioned observations shall not have any bearing upon the merits of the case.
15. Pending miscellaneous application(s), if any, also stand(s) disposed of, accordingly.

(SURYA PARTAP SINGH)
JUDGE

20.02.2026

Gaurav Thakur

Whether speaking / reasoned
Whether Reportable

Yes/No
Yes/No