SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			UKHC010193152026 **BA1/1838/2026** Simran Sahni --Applicant **Versus** State Of Uttarakhand --Respondent **Hon'ble Alok Mahra, J.** Mr. Karan Singh Dugtal, learned counsel for the applicant. 2. Ms. Pushpa Bhatt, learned Addl. Advocate General along with Mr. S.C. Dumka, learned A.G.A. and Mr. Nikhil Bisht, learned Brief Holder for the State. 3. Applicant- Simran Sahni, who is in judicial custody in connection with FIR/Case Crime No. 00637 of 2026 under Sections 8/20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Patelnagar, District Dehradun, has sought her release on bail. 4. Heard learned counsel for the parties and perused the material available on record. 5. As per the prosecution case, during routine checking, the police party allegedly apprehended the applicant and, upon searching the carrying bag found in her possession, recovered 3.012 grams of the alleged contraband, stated to be ganja, along with ₹600/-. On the basis of the said recovery, the F.I.R. came to be registered

			against the applicant for the alleged offence under the provisions of the N.D.P.S. Act. 6. Learned counsel for the applicant would further submit that the alleged contraband is stated to contain green leaves, which, in the absence of the flowering or fruiting tops of the cannabis plant, do not fall within the definition of *ganja* under Section 2(iii)(b) of the N.D.P.S. Act. He would further submit that the alleged quantity of contraband recovered from the applicant is less than the commercial quantity and, therefore, the rigours of Section 37 of the N.D.P.S. Act are not attracted, subject to the nature and classification of the alleged substance. 7. Learned counsel would further submit that the mandatory provisions of the N.D.P.S. Act have not been duly complied with during the search and seizure proceedings. He would contend that the personal search of the applicant was conducted by a woman police constable and not before a Gazetted Officer, thereby raising a question regarding compliance with the applicable statutory safeguards. He would further submit that the applicant has been languishing in judicial custody since 14.09.2026; that she is a permanent resident of District Dehradun and, therefore, there is no likelihood of her absconding; and that the trial is not likely to conclude in the near future. On these grounds, learned counsel submits that the applicant deserves to be enlarged on bail. 8. Per contra, learned State counsel would vehemently oppose the prayer for bail, however, he does not dispute that the applicant is in judicial custody since

14.09.2026

9. Having considered the submissions advanced by learned counsel for the parties, the nature of the allegations, the circumstances surrounding the alleged recovery, the contentions regarding conscious possession, and the period of incarceration undergone by the applicant, this Court is of the view that the applicant has made out a case for bail.

10. Accordingly, without expressing any opinion on the merits of the case, the bail application is allowed on the following conditions:-

(a) The applicant shall execute a personal bond and furnish two reliable sureties in the like amount to the satisfaction of the trial court.

(b) The applicant shall not leave the country without prior permission of the court.

(c) The applicant shall appear before the investigating officer as and when required and cooperate with the investigation.

(d) The applicant shall not tamper with evidence or witnesses, either directly or indirectly and shall not indulge in any criminal activity while on bail.

(e) The applicant shall surrender their passport, if any, to the court or to the investigating agency, to preclude risk of absconding.

11. The bail granted to the applicant shall be liable to be cancelled in the event of any violation of the aforesaid conditions or if the applicant is found to have misused the liberty granted to them.

(Alok Mahra, J.)
30.10.2026

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