

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

101

CRM-M-41149-2025 (O&M)  
DATE OF DECISION: 04.08.2025

KARAMJIT KAUR

...PETITIONER

Versus

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gaurav Arora, Advocate and  
Mr. Yashpal Thakur, Advocate for the petitioner(s).  
Mr. Sushil Bhardwaj, Addl. A.G., Haryana.

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**SANDEEP MOUDGIL, J (ORAL)****1. Prayer**

This petition has been filed under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No. 109 dated 22.05.2025 registered under Section 21(b)/27-A of The Narcotic Drugs and Psychotropic Substances Act, 1985 at P.S. Sadar Tohana, District Fatehabad.

**2. Contentions****On behalf of the petitioner**

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case on the basis of the disclosure statement made by co-accused Balbir who was apprehended by the police with alleged recovery of 90 grams Heroin which is non-commercial in nature. He has argued that nothing has

been recovered from the present petitioner and there is no direct or circumstantial evidence produced by the prosecution to prove the allegations.

Learned counsel for the petitioner undertakes on behalf of the petitioner that she is ready and willing to join the investigation and cooperate with the investigating officer.

Notice of motion.

**On behalf of the State**

Learned State Counsel appearing on advance notice on instructions from Investigating officer vehemently opposes the prayer for grant of concession of anticipatory bail stating that the petitioner is the supplier of the contraband recovered from the co-accused Balbir and thus custodial interrogation is warranted for further investigation in the matter.

3. **Analysis**

Be that as it may, after giving a thoughtful consideration to the submissions as made, by the counsel for both the parties to the effect that the petitioner has been implicated in the present case solely on the basis of the disclosure statement made by co-accused Balbir, who was apprehended by the police and a recovery of contraband to the tune of 90 grams of Heroin was effected, which is non-commercial in nature, and no recovery has been effected from the petitioner, nor has the prosecution produced any direct or circumstantial evidence linking the petitioner to the alleged offence, hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.



#### 4. Relief

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on anticipatory bail subject to her joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNS of which are reproduced below :-

*'When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*

*(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*

*(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*

*(iii) a condition that the person shall not leave India without the previous permission of the Court;*

*(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.'*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**04.08.2025**  
*anuradha*

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