



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

CRM-M-30546-2025

Date of Decision:04.07.2025

Pardeep Kaur

...Petitioner

vs.

State of Punjab

...Respondent

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. P.S Sekhon, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the third petition under Section 439 Cr.PC with a prayer to grant regular bail to her in case FIR No. 11, dated 17.01.2024, registered under Sections 21,22 and 29 of NDPS Act, Police Station City Sunam, District Sangrur.

2. According to the prosecution story, the petitioner was found in conscious possession of 800 loose intoxicant tablets labelled as Tramwell-100 SR and 03 grams of heroin, without any permit or licence.

3. Learned counsel for the petitioner, inter alia contends that the petitioner has been falsely implicated in the present case. The quantity of contraband recovered from the petitioner is marginally above the 'commercial quantity'. No independent witness was joined by the police party. He next contends that the petitioner is in custody since 17.01.2024. In support of his contentions, learned counsel for the petitioner has relied upon judgments in **(i) CRM-M-37684-2021, Balwinder Singh vs. State of Punjab, decided on**

14.02.2022; (ii) CRM-M-8212-2022, *Tajinder Singh vs. State of Punjab*, decided on 03.03.2022 and (iii) CRM-M-35186-2016, *Manjit Kaur @ Jeeto vs. State of Punjab*, decided on 01.12.2016. Learned counsel further contends that one and half year old child of the petitioner is in custody along with her and the case of the petitioner deserves sympathetic consideration by this Court.

4. On the other hand, learned counsel for the State vehemently opposed the submissions made by learned counsel for the petitioner.

5. Keeping in view the facts and circumstances of the case, custody period of the petitioner and also the fact that the quantity of alleged contraband is marginally above the 'commercial quantity', without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

6. Without commenting on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail pending trial on her furnishing bail bonds and surety to the satisfaction of the concerned trial Court/ Duty Magistrate/Chief Judicial Magistrate subject to the following conditions:-

(i) The petitioner 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 her to disclose such facts to the Court or to any other authority.

(ii) The petitioner shall remain present before the Court on the dates fixed for hearing of the case.

(iii) The petitioner shall not absent herself from the Court proceedings except on the prior permission of the Court concerned.

(iv) The petitioner shall surrender her passport, if any, (if already not surrendered), and in case she is not holder of the same, she shall swear an affidavit to that effect.

(v) *The petitioner shall also file her affidavit before the concerned Court, mentioning her ordinary place of residence and number of mobile phone, which shall be used by her during the pendency of the trial. In case of change of place of residence/mobile number, she shall share the details with the concerned Court/ Trial Court.*

(vi) *In case, the petitioner is involved in any other criminal activity, during the pendency of the trial, it shall be viewed seriously.*

(vii) *The concerned Court may insist on two heavy local sureties and may also impose any other condition, in accordance with law, while accepting the bails bonds and surety bonds of the petitioner.*

(viii) *The petitioner shall report on every 1st Monday of English calender month to the concerned SHO till the conclusion of the trial and SHO shall mark his presence by making an entry in the Rojnamcha.*

7. In case, the petitioner violates any of the conditions mentioned above, it shall be viewed seriously and the concession of bail granted to her shall be liable to be cancelled and the prosecution shall be at liberty to move an application in this regard.

04.07.2025
hitesh

(N.S.SHEKHAWAT)
JUDGE

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