

**CRM-M-55832-2025****1**

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

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**CRM-M-55832-2025
Decided on: October 13, 2025**

Palo Kaur**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Mikhail Kad, Advocate, and
Mr. Jagjit Singh, Advocate,
for the petitioner.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. The instant petition has been filed under Section 483 of BNSS, 2023 (earlier Section 439 Cr.P.C.), for grant of regular bail to the petitioner, during the pendency of trial, who has been booked in a criminal case arising out of First Information Report, as detailed hereunder:-

Name of Petitioner	FIR No.	Date	Sections	Police Station	District
Palo Kaur	39	24.04.2024	20, 29 and 61 of the NDPS Act, 1985	Moonak	Sangrur

2. As per version of the FIR, on 24.04.2024, from two main accused, namely, Kirna Devi and Sukhwinder Kaur, Sulfa (Charas) weighing 1 Kg – 350 grams each, total 2 Kgs – 700 grams, was recovered. Present petitioner – Palo Kaur is related as mother of co-



accused Kirna Devi. Petitioner has been involved in the present case on the disclosure statement of her daughter Kirna, and the allegation levelled against the her is that it was the petitioner who had instructed co-accused Kirna to procure Sulfa (Charas) weighing 1 Kg. - 350 grams from someone else.

Learned counsel for the petitioner contends that except of the said disclosure statement, there is no other connecting evidence against the petitioner. The petitioner is inside jail since 10.06.2025. Further argues that co-accused Sukhwinder Kaur, from whose possession Sulfa (Charas), weighing 1 Kg – 350 grams, was recovered, has already been extended the concession of bail by the co-ordinate Bench of this Court, vide order dated 08.09.2025, passed in CRM-M-36329-2024 (Annexure P-3).

3. On advance notice, learned State counsel has put in appearance. While opposing the prayer and submissions made by learned counsel for the petitioner, learned State submits that the petitioner is an habitual offender, inasmuch as, several cases of similar nature, under the NDPS Act have been registered against her. In this regard, learned State counsel has invited the attention of this Court to para No. 11 of the petition where detail of criminal cases registered against the petitioner has been given. Learned State counsel submits that the petitioner deserves no leniency, she being involved in a crime against society. Thus, prays for dismissal of the present petition. However, he has not disputed the factual aspect that the name of the petitioner in the present case appeared in the disclosure statement of main/co-accused Kirna, from

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whom recovery of Sulfa (Charas), weighing 1 Kg – 350 grams, was affected.

4. I have heard learned counsel for the parties and with their able assistance gone through material available on record.

As regards other cases registered against the petitioner are concerned, the detail of the same is as under:

Sr. No.	FIR Details	Status
1	FIR No. 200, dated 24.12.2008, under Section 18 of the NDPS Act, Police Station City, Sunam.	Not mentioned.
2.	FIR No. 166, dated 19.07.2011, under Section 18 of the NDPS Act, Police Station City, Sunam.	Acquitted.
3.	FIR No. 258, dated 13.12.2012, under Section 21 of the NDPS Act, Police Station City, Sunam.	Convicted for the period already undergone by her i.e. 34 days.
4.	FIR No. 71, dated 12.05.2014, under Section 20 of the NDPS Act, Police Station City, Sunam.	Acquitted.
5.	FIR No. 01, dated 01.01.2018, under Section 61 of the Excise Act, Police Station City, Sunam.	Not mentioned.
6.	FIR No. 131, dated 09.07.2018, under Section 20 of the NDPS Act, Police Station City, Suman.	Convicted for a period of two months.
7.	FIR No. 107, dated 26.05.2021, under Section 22 of the NDPS Act, Police Station City, Sunam. [allegation – recovery of 100 tablets of Celcidal]	Convicted to undergo RI for one month
8.	FIR No. 90, dated 29.05.2019, under Section 20 of the NDPS Act, Police Station Sadar, Sangrur [allegation – recovery of 2 Kgs. of Ganja]	Acquitted

5. Be that as it may. Admittedly, there is no recovery of contraband from the petitioner in the present case. The only allegation against her is that she had instructed her daughter, i.e. co-accused Kirna,



to procure Sulfa (Charas) from someone else. Name of the petitioner in the present case appeared on the basis of the disclosure statement of co-accused Kirna. The veracity of the allegation and the role of the petitioner is yet to be proved by the prosecution during trial. The petitioner is inside jail since 10.06.2025. One of the co-accused, namely, Sukhwinder Kaur, from whose possession also recovery of 1 Kg – 350 grams of Sulfa (Charas) was effected in the present case, has already been granted bail by the Co-ordinate Bench of this Court, vide order dated 08.09.2025 (Annexure P-3).

6. In view of totality of circumstances, and the facts/allegations levelled against the petitioner, I deem it appropriate to grant the concession of bail to the petitioner.

7. Consequently, prayer made in the present petition is **allowed**. Petitioner is ordered to be released on bail, subject to her furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/ Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Needless to observe that the petitioner shall not extend any threat and shall not influence any prosecution witness in any manner directly or indirectly.

9. The observation made hereabove shall not be construed as an expression of opinion on the facts of the case and the trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible, in accordance with law.



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10. It is further made clear that if, in future, petitioner is directly found indulged in similar kind of activities, this order shall be deemed to be cancelled.

11. Petition stands disposed of.

**(SANJAY VASHISTH)
JUDGE**

October 13, 2025
P Kapoor

Whether Speaking/Reasoned: **YES/NO**
Whether Reportable: **YES/NO**