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

**CRM-M No.47695 of 2025
Date of Decision: 03.09.2025**

Beant Kaur**.....Petitioner****versus****State of Punjab****..... Respondent****CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ***********

Present :- Mr. Ankit Rana, Advocate
for the petitioner.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

***********RAJESH BHARDWAJ, J. (Oral)**

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.102, dated 28.06.2025, under Sections 21, 27-A, 61, 85 of NDPS Act, 1985, registered at Police Station Machhiwara, District Ludhiana.

2. Succinctly the facts of the case are that the police party were on patrolling on 28.06.2025 and when they reached the house of Jagtar Singh, an elderly woman opened the gate of the house. On asking, she disclosed her name as Beant Kaur (petitioner), w/o Jagtar Singh. Thereafter the police searched the house of petitioner, 05 grams of heroin was recovered from the petitioner whereas 20 grams of heroin along with Rs.50,000/- as drug money were recovered from co-accused, Navjot Singh @ Navi and 05 grams of heroin along with Rs.40,000/- as drug



money were also recovered from other co-accused, Prabhjot Singh. They failed to produce any licence regarding the conscious possession of the same, thus, the FIR was registered and all were arrested on the spot. On registration of the FIR, the investigation commenced. The samples taken were sent to the FSL. The petitioner approached the Court of learned Additional Sessions Judge/Judge, Special Court, Ludhiana praying for grant of bail, however, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge/Judge, Special Court, Ludhiana declined the bail application filed by the petitioner vide order dated 02.08.2025. Hence being aggrieved, the petitioner is before this Court praying for the grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely and frivolously implicated in the present case. He has submitted that from the bare reading of the allegations made in the FIR, it is apparent that the recovery of 05 grams of heroin has been planted upon the petitioner. He has submitted that the alleged search has been conducted on 28.06.2025 wherein the house of petitioner was raided without any rhyme and reason. He has submitted that the petitioner along with her sons have been falsely implicated by planting a fake recovery upon them. He has submitted that the recovery allegedly made against the petitioner is 05 grams of heroin, which is even otherwise a small quantity and aailable offence. He has submitted that the petitioner is behind bars since 28.06.2025. He has submitted that the petitioner has no criminal antecedents. He has further submitted that the investigation already stands complete and thus, in the facts and circumstances, the petitioner deserves to be granted regular bail.



4. *Per contra*, learned State counsel has opposed the submissions made by counsel for the petitioner. He has submitted that during the search operation, the police has conducted the search of the house of the petitioner as well and the recovery has been effected on due compliance of the provisions of NDPS Act. He has submitted that the investigation is already complete and the challan is presented. She has produced custody certificate of the petitioner today in the Court and the same is taken on record.

5. Heard.

6 On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner was arrested on the spot on 28.06.2025. The alleged recovery from the petitioner is 05 grams of heroin, which is a small quantity. Custody certificate produced would show that the petitioner has completed incarceration of 02 months and 03 days as on 03.09.2025. It further shows that the petitioner is not involved in any other case. Investigation is complete and the challan already stands presented.

7. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.

8. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned Trial



Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

03.09.2025

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Whether speaking/reasoned

:

Yes/No

Whether reportable

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Yes/No

**(RAJESH BHARDWAJ)
JUDGE**