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

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**CRM-M No.39930 of 2025
Date of decision: 15.09.2025**

Rani ... Petitioner

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. S.P. Soi, Advocate,
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
for the respondent-State.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (For short "BNSS") seeking anticipatory bail in the FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
91	20.05.2025	Mehatpur, District Jalandhar Rural	15 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act')

2. As per the allegations, on 19.05.2025, an FIR bearing No.90 was registered under Section 61 of the Punjab Excise Act, 1914 and Sections 62 and 123 of the Bharatiya Nyaya Sanhita, 2023, at Police Station Mehatpur, District Jalandhar as against the petitioner and her son-

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Raja and a police party was conducting search of the house of the petitioner after recovery of illicit country made liquor in connection with that case. While conducting search, one bag containing 19 kgs of poppy husk, another bag containing 28 kg of poppy husk was recovered from the house of the petitioner whereas 15 kg of poppy husk was recovered from the Scorpio car parked in the backyard of the house. The same were taken into possession by the police. The petitioner and her son had already run away from their house from the backside after conducting the raid. After registration of the FIR, investigation proceedings were initiated and are underway. Apprehending her arrest, petitioner moved an application for grant of pre-arrest bail, which has been dismissed by the learned Court of Additional Sessions Judge, Jalandhar vide order dated 10.06.2025.

3. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. A totally unnatural and improbable story has been concocted against her and co-accused. The alleged recovery is planted one. It has not been effected from the conscious possession of the petitioner. She has already joined investigation on 03.08.2025. She is ready to join further investigation. Her custodial interrogation is not required. No recovery is to be effected from her. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has been filed. Today, on instructions from ASI Kashmir Singh No.757/JAL who is present in Court, it is submitted by

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learned Assistant Advocate General, Punjab that the petitioner has joined investigation with the Investigating Officer namely, SI Kashmir Singh No.538/JAL and her custodial interrogation is not required.

5. Commercial quantity of poppy husk was recovered from the house of the petitioner and co-accused. Though the petitioner has joined investigation and as submitted by learned Assistant Advocate General, Punjab, her custodial interrogation is not required, however, since the Investigating Officer has done so despite there being no order of this Court in this regard, therefore, let SSP, Jalandhar seek explanation of SI Kashmir Singh No.538/JAL Investigating Officer, in this regard and to take suitable departmental action in this regard. The action taken report may be submitted within one month.

6. Since the custodial interrogation of the petitioner is no more required and as no recovery is to be effected from her, therefore, the petition is allowed and the petitioner is ordered to be extended benefit of anticipatory bail, subject to her appearing before the Investigating Officer/Arresting Officer within a period of ten days from the date of passing of this order. On her appearance within that period, she shall be released on bail by the Investigating Officer/Arresting Officer on furnishing personal/surety bonds to its satisfaction and subject to the following conditions:-

- (i) the petitioner shall cooperate with the investigation and shall appear before the Investigating officer/Arresting officer

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as and when required.

(ii) She 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/her from disclosing such facts to the Court or to any Police Officer.

(iii) She shall not commit any similar offence while on bail.

(iv) She shall not leave the country without prior permission of the Court.

(iv) She shall deposit her passport if any, with the jurisdiction Magistrate/trial Court.

7. In case of violation of any of the above conditions, the jurisdictional Court shall be empowered to consider the application for cancellation, if any, and pass appropriate orders in accordance with law.

8. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(MANISHA BATRA)
JUDGE

15.09.2025

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No