

2025:PHHC:086964



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

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CRM-M-36931-2025

Date of decision: July 15, 2025

ARSHPREET KAUR GREWAL

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Robin Dutt, Advocate
for the petitioner.

MANJARI NEHRU KAUL, J.

1. The instant petition has been filed under Section 482 of the BNSS, 2023 for grant of anticipatory bail to the petitioner in case FIR No.177 dated 29.10.2024 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 7, 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station City South, District Moga.

2. Learned counsel for the petitioner has vehemently contended that the petitioner has been falsely implicated in the instant case. It has been further submitted that the alleged recovery of contraband from the residence of the petitioner was not only planted but also highly suspicious, as the same batch of expired Etizolam tablets (Batch No.TPT0955) had purportedly been seized earlier in FIR No.22 dated 22.01.2023 and FIR No.20 dated 19.10.2023, both registered at Police Station Baghapurana. Learned counsel for the petitioner submits that the petitioner was never posted at Police Station Baghapurana, and hence, had no nexus with the said recoveries.



3. It has still further been submitted that the search of the residential premises of the petitioner was conducted in gross violation of procedural safeguards. There was absence of any independent witness, such as neighbours or even family members, at the time of the alleged recovery. Learned counsel has also alleged that the CCTV cameras installed at the residence of the petitioner were removed by the police after the search operation, ostensibly to suppress evidence of procedural irregularities.

4. I have heard learned counsel for the petitioner and perused the relevant material placed on record.

5. As per the allegations levelled in the FIR (Annexure P-9), the petitioner is an accused in a case arising from a serious investigation into offences under the Prevention of Corruption Act, 1988 and the Narcotic Drugs and Pyschotropic Substances Act, 1985. During the execution of search warrant from the Court of learned Judicial Magistrate Ist Class, Moga, a team led by Deputy Superintendent of Police, accompanied by multiple police officials and in the presence of duly appointed Government officers, a search was conducted at the residential premises of the petitioner.

6. During the said search, a transparent polybag containing contraband in the form of 100 Etizolam tablets (0.5 mg each), 35 loose tablets, 3 broken tablets and 1 white tablet were allegedly recovered from a drawer beneath the LCD panel in the bedroom. The total weight of the recovered Etizolam tablets was approximately 21 grams, which is classified



as 'commercial' under the NDPS Act. The recovered material was sealed at the spot and duly taken into the custody, following the prescribed procedure.

7. The allegations against the petitioner are grave and serious in nature. The recovery of commercial quantity of contraband substances from her residential premises, as alleged, *prima facie* indicates her involvement in cases under the NDPS Act. At this stage, this Court cannot lose sight of the fact that anticipatory bail in such cases is governed by a stricter threshold, particularly where commercial quantity is involved. The statutory embargo under Section 37 of the NDPS Act must be considered with full effect.

8. At this stage, no cogent/convincing ground has been made out to show that the petitioner deserves the extraordinary concession of anticipatory bail.

9. Accordingly, the instant petition stands dismissed.

10. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

July 15, 2025

Jaspreet Kaur

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*