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

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**CRM-M-15104 of 2026
Date of Decision: 11.05.2026**

Sarabjit Kaur @ Sabi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. Sunil Kumar Digvijay, Advocate
for the petitioner.

Ms. Amrit Kaur Mahir, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the present petition filed under Section 483 of the BNSS, 2023 is for grant of regular bail to the petitioner in case FIR No.100 dated 28.04.2025 registered under Section 21(b)/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 21(c) and 27-A of the NDPS Act added later on), at Police Station City Tarn Taran, District Tarn Taran.

2. Brief facts of the present case are that on 28.04.2025, SI Avtar Singh, along with his fellow police officials was on patrolling duty and on suspicion, apprehended the petitioner, who was found in conscious possession of 40 grams of heroin. Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and she has no



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concern with the said offence. He further submitted that mandatory provisions of the NDPS Act were not complied with at the time of alleged search and seizure. He argued that recovery of alleged contraband has already been effected from the petitioner and nothing more is to be recovered from her. Moreover, the petitioner has clean antecedents as she is not involved in any other case. The petitioner is in custody since 28.04.2025. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submitted that the trial will take a long time to conclude and no useful purpose would be served by keeping her behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner and status report in the mater, which are taken on record and while referring to the status report, she has opposed the prayer for grant of bail on the ground that the allegations levelled against the petitioner are serious in nature as she after being apprehended, got recovered another 260 grams heroin from her house, as such the contraband recovered in the present FIR falls under the commercial quantity. Hence, she prays that the present petition be dismissed.

5. I have heard learned counsel for the parties and perused the material available on record. In the present case, the petitioner was apprehend and found in conspicuous possession of 40 grams of heroin. Thereafter, 260 grams of heroin was found from petitioner's house and thus, total 300 grams of heroin has been recovered in the present FIR, which falls under the commercial quantity. The disclosure statement of the petitioner



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further indicates her involvement in the supply chain of contraband substances. This Court cannot lose sight of the fact that the country has been grappling with a grave and pervasive drug menace, which has had devastating effects on the social fabric, particularly the youth. The offences under the NPDS Act are, therefore, required to be dealt with a firm hand. The present petition has been filed by the petitioner seeking bail mainly on the ground of his prolonged custody. It is trite law that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made by the Hon'ble Supreme Court in *Kalyan Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav, 2004 AIR(SC) 1866*, *Chenna Boyanna Krishna Yadav v. State of Maharashtra, (2007) 1 SCC 242* and *State through CBI v. Amaramani Tripathi, 2005 (4) RCR (Criminal) 280(SC)*.

6. Keeping in view the gravity of the allegations as levelled against the petitioner, coupled with the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment upon the merits thereof, this Court is of the considered opinion that the petition does not deserve to be allowed.

7. Accordingly, the present petition being bereft of any merit, is dismissed.

11.05.2026

D.Bansal

(RUPINDERJIT CHAHAL)
JUDGE

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