

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p><u>Bail Application (IA No. 01 of 2025)</u> <u>In</u> <u>CRLA No. 271 of 2025</u> Reshma --Appellant Versus State of Uttarakhand --Respondent <u>Hon'ble Ashish Naithani, J.</u></p> <p>Mr. Vikas Singh Yadav, learned counsel for the Appellant.</p> <p>2. Mr. S.S. Chauhan, learned Deputy Advocate General assisted by Mr. Vikash Uniyal, learned Brief Holder for the State of Uttarakhand.</p> <p>3. The matter is fixed for hearing on the bail application filed by the Appellant.</p> <p>4. Heard learned counsel for the parties on the Bail Application (I.A. No. 01 of 2025).</p> <p>5. The present Criminal Appeal has been filed against the judgment and order dated 24.03.2025, passed by the learned Special Sessions Judge (NDPS Act)/Sessions Judge, Champawat in Special Sessions Trial No. 14 of 2020 (arising out of FIR No. 55 of 2020), titled State vs. Reshma, for the offences punishable under Sections 8/20 of the NDPS Act, 1985, Police Station Champawat, District Champawat.</p> <p>6. By the said judgment, the Appellant has been convicted under Section 20(b)(ii)(B) of the NDPS Act and sentenced to undergo seven years of rigorous imprisonment along with a fine of Rs. 50,000/-, and in default of payment of fine, to further undergo six months of simple imprisonment. It has also been directed that the period of detention already undergone by the Appellant shall be set off against the sentence awarded.</p> <p>7. Learned counsel for the Appellant submits that the Appellant remained on bail during the course of trial and never</p>

misused the liberty so granted. It is further submitted that the Appellant has been falsely implicated and is in custody since 24.03.2025. It is also submitted that the alleged contraband, i.e., *charas* weighing 830 grams, falls below the commercial quantity. Further submission is that the place of alleged recovery, as shown in the FIR, is a densely populated area, yet the prosecution has failed to produce any independent witness to the alleged recovery, rendering the prosecution case doubtful. It is further contended that the mandatory provisions of the NDPS Act have not been complied with.

8. Per contra, learned State Counsel has opposed the bail application, submitting that the Appellant was apprehended red-handed with 830 grams of illegal contraband (*charas*), and on the basis of oral as well as documentary evidence, her involvement in the commission of the offence has been duly established.

9. After hearing learned counsel for the parties and upon consideration of the facts and circumstances of the case, this Court is of the opinion that, at this stage, sufficient grounds exist for granting bail to the Appellant during the pendency of the appeal.

10. Accordingly, the Bail Application is allowed. The Appellant shall be released on bail during the pendency of the present criminal appeal, upon her executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the learned Court concerned.

11. It is clarified that the grant of bail shall not be treated as a ground for seeking unnecessary adjournments or for delaying the disposal of the present criminal appeal.

12. List this case on 29.06.2026.

(Ashish Naithani, J.)

15.04.2026

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