



IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2026  
(Arising out of SLP(CrI.) No.2705/2026)

KHUSHI KAUR

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s))

O R D E R

Leave granted.

We have heard the learned senior counsel and learned counsel appearing for the respective parties.

The appellant is a lady who has been arraigned as an accused for the offences punishable under Sections 8/20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act') seeks bail in connection with FIR No.10/2026, registered with Police Station - Madanmahal, District Jabalpur (M.P.).

The case of the prosecution is that the appellant is involved for the offences punishable under the aforementioned sections of the NDPS Act

with reference to an intermediate quantity of ganja.

The case of the appellant is rather serious, as she has alleged that she was physically assaulted and her modesty was outraged by Police Officers after which she was confined to illegal custody.

It is also the specific case of the appellant that even the CCTV footage shows that she was taken into custody by two lady Police Officers much prior to the recorded time of arrest.

Be that as it may, we are not inclined to go into and comment on the said issues raised.

The High Court, despite calling for an inquiry report from the Inspector General, did not deem it fit to wait and examine the same, but instead dismissed the bail application of the appellant by relying upon the statement of the hotel owner.

We are inclined to set aside the impugned judgment as the reasons assigned by the High Court are irrelevant. Secondly, the High Court did not wait to go through the inquiry report after calling

for the same.

Suffice it to say that the quantity of contraband involved is intermediate in nature and the appellant is a lady. We have been informed that the investigation *qua* the appellant is complete and there are no criminal antecedents against the appellant.

Considering the above facts and circumstances, we are inclined to grant bail to the appellant.

Accordingly, the impugned order stands set aside and the appellant is granted bail on terms and conditions to the satisfaction of the concerned Trial Court.

The appeal stands allowed, accordingly.

Pending application(s), if any, shall stand disposed of.

.....J  
(M.M. SUNDRESH)

.....J  
(NONGMEIKAPAM KOTISWAR SINGH)

New Delhi  
March 12, 2026

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2705/2026

[Arising out of impugned final judgment and order dated 05-02-2026  
in MCRC No. 4158/2026 passed by the High Court of Madhya Pradesh  
Principal Seat at Jabalpur]

KHUSHI KAUR

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(FOR ADMISSION and I.R., IA No. 48732/2026 - EXEMPTION FROM FILING  
C/C OF THE IMPUGNED JUDGMENT AND IA No. 48733/2026 - EXEMPTION FROM  
FILING O.T.)

Date : 12-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Mr. S.K.Gangele, Sr. Adv.  
Ms. Priya Sharma, Adv.  
Ms. Ritu Gangele, Adv.  
Mr. Shrey Ravi Damhare, AOR  
Mr. Mohd Fahad, Adv.

For Respondent(s) :

Ms. Manisha T Karia, A.A.G.  
Ms. Mrinal Gopal Elker, AOR  
Mr. Rajan K Chaurasia, Adv.  
Mr. Amit Sharma, Adv.UPON hearing the counsel the Court made the following  
O R D E R

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. Pending application(s), if any, shall also stand disposed of.

(DEEPAK SINGH)

ASTT. REGISTRAR-cum-PS

(POONAM VAID)

ASSISTANT REGISTRAR

[Signed order is placed on the file]