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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Reserve: November 19, 2010

Date of Order: November 24, 2010

+ Bail Appln. No. 1305/2010

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Pushpa Devi

24.11.2010

...Petitioner

Versus

State

...Respondents

Counsels:

Mr. M. Babibuddin for petitioner.
Mr. Sunil Sharma for respondent.

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

ORDER

1. This application for bail has been made by the applicant who was apprehended by the police with 17 packing (*purias*) of smack and is facing trial under NDPS Act. These small packets of smack had total weight of 12 gm of smack. FSL report shows that smack was of high concentration. It only seems that the applicant/ petitioner was a distributor of smack to the users.

2. The bail is sought by the petitioner on the ground that the petitioner was falsely implicated in the present case. Chargesheet has already been filed by the prosecution. The petitioner/accused is a woman having a minor daughter of three years to look after, who lives with her in jail.

3. The application has been opposed by the prosecution on the ground that the applicant was a distributor of smack to the users and her crime was serious and heinous in nature, although the quantity of smack recovered from her was 12 gm.

4. The charge against the petitioner was framed on 15th July, 2010. Since the petitioner is a woman and having one daughter of three years with her in jail, it would be appropriate that directions are given to the trial court to expedite the trial. The trial court is therefore directed to conduct the trial of the present case in an expeditious manner so that the case of the applicant is decided at the earliest. However, considering that applicant was supplying drug to users, I do not consider her entitled to bail.

5. The bail application is hereby dismissed.

November 24, 2010
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SHIV NARAYAN DHINGRA, J