

CRM-M-21468 of 2014
Date of Decision: 30.04.2015

..... Petitioner

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Himanshu Puri, Advocate
for the petitioner.

Mr. R. S. Randhawa, Addl. AG, Punjab.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks pre-arrest bail in case FIR No.142 dated 22.05.2014 registered under Sections 21/61/85 NDPS Act at Police Station City Kapurthala, District Kapurthala.

Learned counsel for the petitioner submits that in compliance of the order dated 01.07.2014 passed by this Court, petitioner has joined the investigation and she is no more required for the purpose of further investigation. Petitioner is a lady and her husband is already inside the Jail. She prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from Head Constable Major Singh, Police Station City Kapurthala submits that there are three FIRs against the petitioner including the present one. However, FIR No.158 dated 27.10.2012 has been quashed by this Court vide order dated 12.09.2014 passed in CRM-M-26931 of 2013 (Daya Singh @ Sonu Vs. State of Punjab). He further submits that this Daya Singh was husband of the petitioner. Petitioner was on bail in FIR No.351 dated

24.12.2014. He concluded by submitting that since the petitioner and her other family members are repeatedly indulging in offences of identical nature under the NDPS Act, she is not entitled for the concession of pre-arrest bail. He prays for dismissal of the petition.

Having heard the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that keeping in view the typical facts and circumstances of the case, noticed hereinabove, petitioner has not been found entitled for the concession of anticipatory bail.

It is so said because she has been found involved in at least three FIRs under the NDPS Act. Her husband is already stated to be inside the jail for an offence under the NDPS Act. It is also a matter of record that husband of the petitioner is facing criminal trial in two FIRs under the NDPS Act whereas her mother-in-law is facing criminal trial in four criminal cases again under the NDPS Act.

In view of the above and without commenting any further in this regard, lest it should prejudice the rights of either of the parties, present petition is dismissed, as no case for interference has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

April 30, 2015
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