IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22123-2015 (O&M)
Date of Decision: October 05, 2015

Shinder Kaur .....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.P.S.Dhaliwal, Advocate
for the petitioner.

Mr.K.S.Pannu,DAG, Punjab.

.....

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

NARESH KUMAR SANGHI, J.(Oral)

Prayer in this petition, filed under Section 439, Cr.P.C., is for grant of regular bail to the petitioner, Shinder Kaur, who has been booked for having committed the offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, in a case arising out of FIR No.114, dated 16.05.2014, registered at Police Station, City Barnala, District Barnala.

Learned counsel contends that at the time of filing of

MEENU
2015.10.06 14:53
I attest to the accuracy and
authenticity of this document
chandigarh

the earlier petition seeking the same relief, it was not argued that the ten tablets drawn from the container containing 1000 tablets were not the true sample of the remaining tablets and, as such, on this ground the petitioner is entitled to bail.

On a specific query put by this Court, learned counsel for the petitioner fairly conceded that the said point was available to the petitioner when earlier petition was filed, however, it could not be argued. This by itself would not be a ground for grant of bail that despite the availability of some fact the case was not argued. Since the commercial quantity of the contraband was recovered from the petitioner and as per the counsel for the State, on instructions from HC Darshan Singh, Police Station, City, Barnala, as many as five prosecution witnesses have already been examined, therefore, no ground for bail to the petitioner is made out.

Dismissed.

October 05, 2015 **(NARESH KUMAR SANGHI)**
meenu **JUDGE**

MEENU
2015.10.06 14:53
I attest to the accuracy and
authenticity of this document
chandigarh