

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(212)

CRM-M-28396-2015

Decided on: October 06, 2015.

Raju Devi

.... **Petitioner**

Versus

Narcotics Control Bureau, Chandigarh

..... **Respondent**

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Pawan Sharma, Advocate, for the petitioner.

Mr. D.D. Sharma, Advocate, for the respondent.

M.M.S. BEDI, J (ORAL)

Petitioner is a lady who has been in custody w.e.f. 17.10.2014 in a case of recovery made on the basis of secret information against her husband Narinder Sharma.

The story of the prosecution is that husband of the petitioner had been caught along with about Rs.3 lacs received by him from the sale of 3 kg 990 grams opium from the other co-accused. So far as petitioner is concerned, she was not found in conscious possession of opium.

It is not out of place to observe here that petitioner along with a minor child is being lodged in jail. It will be debatable whether the petitioner could be considered in deemed possession of the contraband recovered from her husband.

Petition is allowed. Petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

**(M.M.S. BEDI)
JUDGE**

October 06, 2015

harsha