

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

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**Criminal Misc. No.M-32148 of 2015
Date of decision: October 31, 2015**

Ramrati

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. K.L. Saini, Advocate for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, namely, Ramrati in case FIR No.188 dated 23.07.2015 registered under Section 21/61/85 of NDPS Act at Police Station City Narwana, District Jind during the pendency of the trial.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas she was not involved and the alleged recovery is only 20 grams smack. Learned counsel further submits that on the same set of allegations, co-accused, namely,

Bimla has already been released on regular bail by the trial Court and the petitioner is in custody since 27.07.2015. Learned counsel further submits that challan has not been presented as FSL report has not been received so far.

Learned counsel for the respondent-State has not disputed the custody period as well as the factum of granting regular bail to co-accused, namely, Bimla and the fact with regard to non-receiving of FSL report.

In view of the submissions made by learned counsel for the petitioner and also the fact that the alleged recovery is only 20 grams smack and on the same set of allegations, co-accused of the petitioner, namely, Bimla has been released on regular bail by the trial Court, the petitioner is in custody since 27.07.2015 and no purpose would be served by keeping the petitioner in custody any further, the present petition is allowed and the petitioner, namely, Ramrati is directed to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court.

October 31, 2015
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(DAYA CHAUDHARY)
JUDGE