

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-33989 of 2015
Date of Decision : 12.10.2015

Vania Khanna

.....Petitioner

Vs.

State of Punjab

.....Respondent

...

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. Rajesh Kumar Dadwal, Advocate for the petitioner.
Mr. K.D. Sachdeva, Addl. A.G., Punjab.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Petitioner seeks bail pending trial in FIR No.49 dated 2.6.2012 under Sections 21,61,85 of the NDPS Act, registered at Police Station Garshankar, Distt. Hoshiarpur.

Learned counsel for the petitioner places reliance on two orders passed by this court at Annexures P-2 and P-3, to contend that co-accused of the petitioner from whom recoveries were effected, have been granted the concession of bail. No recovery was effected from the petitioner. He prays that case of the present petitioner is on better footing and she is also entitled for bail pending trial.

Learned counsel for the State, on instructions from HC Satnam Singh Police Station Garshankar submits that although the defence evidence is

going on for the last about two years, which is not being concluded by the accused for the reasons best known to them, yet he has fairly stated that so far as other co-accused of the petitioner are concerned, all of them have been granted the concession of bail, including those co-accused from whom recoveries were effected. He prays for dismissal of the present petition.

Having heard learned counsel for the parties and after careful perusal of the record of the case, this court is of the considered opinion that since the co-accused of the petitioner, from whom recoveries were effected are already on regular bail, petitioner has also been found entitled for the concession of bail pending trial.

It is a matter of record that no recovery was effected from the petitioner in the present FIR. She was not even named in the FIR. She was sought to be made an accused on the basis of a disclosure statement suffered by the co-accused, during the course of investigation.

In view of the above and without commenting anything further on the merits of the case, lest it should prejudice the rights of either of the parties, instant petition is allowed. Petitioner is directed to be released on bail pending trial on her furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial court.

Disposed of, accordingly.

12.10.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE