

**In the High Court of Punjab and Haryana
at Chandigarh**

-.-

Date of Decision: 13.01.2015

CRM M 38182 of 2014

Manju

---Petitioner

versus

The State of Punjab

---Respondent

CRM M 43435 of 2014

Bittu and another

---Petitioners

versus

The State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Vishavjeet Singh, Advocate
for the petitioner (CRM M 38182 of 2014)

Mr. C L Verma, Advocate
for the petitioners (CRM M 43435 of 2014)

Mr. Gazi Mohammad, DAG, Punjab
for the respondent-State

-.-

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

REKHA MITTAL, J. (Oral)

This order shall dispose of aforementioned petitions as these are the offshoot of FIR No. 85 dated 22.06.2014 for offence punishable under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered in Police Station Sudhar, Ludhiana (Rural), Punjab.

Counsel for the petitioners contend that three persons have

been indicted in the crime in regard to recovery of 52 kg. poppy husk in two bags to the extent of 26 kg. each bag, which was allegedly recovered from Car in which the petitioners were travelling. The petitioners are in custody for the past more than six months and conclusion of trial is likely to take its own time. It is further submitted that weight of 52 kg. poppy husk includes weight of two bags in which poppy husk was allegedly carried and, therefore, the recovery may be marginally more than commercial quantity.

Counsel for the State has not disputed factual assertions but opposed the prayer for bail.

Keeping in view the facts that three persons are booked for keeping in possession 52 kg. poppy husk including weight of two bags in which contraband was carried coupled with the factum that two of the accused are women and there is no other criminal case registered or pending against them, without meaning to express any opinion on merits of the controversy, bail to petitioners namely Manju, Bittu and Sunita on their furnishing personal/surety bonds subject to satisfaction of the learned trial Court. However, they shall abide by the following conditions:-

- (i) they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and
- (ii) they shall not leave India without the previous permission of the Court.

Xerox copy of the order be placed on the connected file.

(REKHA MITTAL)
JUDGE

13.01.2015