

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

Crl. Misc. No.M-38622 of 2014

Date of Decision: 16.01.2015

Kaushalaya Kaur

....Petitioner

Versus

State of Punjab

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ?**
- 2. To be referred to reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Present:- Mr. B.S. Bhalla, Advocate
for the petitioner.

Ms. Ritu Punj, Addl. A.G., Punjab
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.45 dated 24.05.2014 registered under Section 21 of the NDPS Act at Police Station Fatehgarh Panjtoor, District Moga.

Learned counsel for the petitioner submits that the identity of the petitioner is disputed. As per case of the prosecution, the petitioner was identified by Head Constable Surinderpal Singh. Learned counsel also submits that the custodial interrogation of the petitioner is not required as the recovery has already been effected.

Learned State counsel opposes bail to the petitioner on the ground that she is also involved in one more case of NDPS Act, wherein,

she has been convicted and names of the accused were mentioned in the secret information. Learned State counsel further submits that the accused were identified by Head Constable Surinderpal Singh and Head Constable Sukhdev Singh. She also submits that the allegations against the present petitioner and the other accused are that they were involved in selling of such like contraband and money was also recovered from them.

As per submissions made by learned State counsel and also the fact that the petitioner is involved in another case of NDPS Act and was also identified, on the same set of allegations, the anticipatory bail filed by co-accused of the petitioner has already been dismissed, therefore, it cannot be said, at this stage, that she has falsely been implicated as only the allegations in the FIR are to be seen.

There is no merit in the contention raised by learned counsel for the petitioner and the present petition, being devoid of any merit, is hereby dismissed.

16.01.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE