

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-42478-2014

Date of decision : 06.02.2015

Kulwinder Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Rishu Mahajan, Advocate
for the petitioner.

Mr.Ankur Malik, AAG, Punjab.

REKHA MITTAL, J.

The petitioner prays for grant of regular bail in FIR No.236 dated 25.09.2014 for offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the Act').

Counsel for the petitioner contends that the alleged recovery of 100 grams of intoxicant powder does not fall within the preview of commercial quantity. The petitioner is in custody for the past about five months. There is no other criminal case much less under the Act registered against her.

Counsel for the State has submitted that as per analysis of the sample separated from recovery of suspect material effected from the petitioner, it has been found to contain Paracetamol. He has fairly conceded that Paracetamol does not find reference in the schedule of manufactured

drugs appended to the Act.

I have heard counsel for the parties and perused the records.

Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to her furnishing bail bonds to satisfaction of the trial Court. However, she shall remain bound by the following conditions:-

- (i) she 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) she shall not leave India without the previous permission of the Court.

(REKHA MITTAL)
JUDGE

February 06, 2015.
DK