

CRM No. M-6031 of 2014
DECIDED ON: JULY 22, 2015

CHARANJIT KAUR@CHARNO

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sushma Varma, Advocate
for the petitioner.

Ms. Priyanka Sadar, AAG, Punjab.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred by Charanjit Kaur @ Charno under Section 439 Cr.P.C seeking regular bail in case FIR No. 113 dated October 04, 2013 under Section 15/22/61/85 of NDPS Act registered at Police Station Sadar Nabha, District Patiala.

2. When the petition was taken up on July 22, 2014, following order was passed:-

“Petitioner has been in custody w.e.f. 4.10.2013 for having been found in possession of 2500 tablets containing dyphynoxilate hydrochloride and 5 kgs. of poppy husk.

Her application for bail is opposed, inter alia, on the ground that she has been indulging in similar activities. A list of five FIRs registered against the petitioner in which she has been facing trial has been placed on record. The petitioner was convicted in two cases for having been found in possession of 50 kgs. of poppy husk on 11.3.2008 and 4.5 kgs. of poppy husk on 19.12.2010. She was acquitted in two other cases of recovery of poppy husk.

The petitioner is a female and has been indulging in similar activities time and again as such no indulgence can be shown to her for her

repeated illegal activities but taking into consideration the fact that she is a female, adopting reformatory approach of criminal jurisprudence, an opportunity deserves to be granted to the petitioner to improve herself to become a useful citizen.

In order to give her an opportunity to improve herself, the petitioner can be ordered to be released on interim temporary bail for a period of one year. She will be under surveillance regarding her illegal activities and in case she is found to be indulging in similar activities i.e., carrying any intoxicating medicine or any objectionable article not permitted under the NDPS Act, the interim order will be immediately withdrawn directing her to be kept in judicial custody. In case the trial is concluded within a period of one year, this order will become inoperative from the date of order of final decision.

The petitioner is ordered to be released on interim temporary bail for a period of one year i.e., till 21.7.2015 subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court. She would furnish an undertaking before her release before the trial Court that she will not carry narcotic or psychotropic substance prohibited under the NDPS Act during pendency of the trial. In case of any violation, the relief granted to her would be withdrawn.

Be put up on 15.7.2015”.

3. Today learned State counsel on instructions from ASI Narinder Singh submits that after passing of order dated July 22, 2014, petitioner has not indulged in any other cases of similar nature. However, she is facing trial in FIR in question.

4. Order dated July 22, 2014 shall enure till the disposal of trial pending before learned trial Court but subject to conditions that in case she is found to indulge in any such like cases during the pendency of trial, State shall be at liberty to move this Court for cancellation of bail.

JULY 22, 2015
SHAM

(JASPAL SINGH)
JUDGE