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

**CRM-M No.6885 of 2015
Date of Decision: 09.03.2015**

Chanderpati @ Chandro**.....Petitioner**

Vs

STATE OF HARYANA**.....Respondent****CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Sunil Kumar, Advocate
for the petitioner.

Mr. Pardeep Prakash Chahar, D.A.G., Haryana.

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

RAJ MOHAN SINGH, J.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.15 dated 24.01.2015 registered under Sections 21/27/64/85 of NDPS Act, PS Pillukhera, District Jind.

The FIR in question came to registered against Harpal when he was apprehended with 7 gram of smack. On the disclosure statement of accused Harpal, the petitioner was arrested on 31.01.2015 on the allegations that she was facilitating and aiding the commission of crime by selling the contraband. The amount of ₹2400/- is alleged to have been recovered from the petitioner. It is an admitted fact that there is no recovery of contraband from the petitioner, nor the petitioner was arrested at the spot when the main

accused was arrested on 24.01.2015. The only incriminating allegation against the petitioner is the recovery of currency notes worth ₹2400/-. There were no marks of identification on the currency notes, nor the currency notes bear any signature of the Competent Authority involved in or related to the episode in question.

The petitioner has been arrayed as accused on the disclosure statement of main accused Harpal, who is having civil disputes with the husband of the petitioner.

Considering the allegations and the probable defence projected by the petitioner, this Court *prima facie* finds that no recovery has been effected from the conscious possession of the petitioner nor the alleged recovery of currency notes bear any mark of identification, therefore, at this stage nothing incriminating can be presumed for the grant of bail.

Accordingly, this petition is allowed.

Let the petitioner be enlarged on bail on her furnishing adequate bail bonds/surety bonds to the satisfaction of the CJM Jind.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

March 09, 2015.

Atik

(RAJ MOHAN SINGH)
JUDGE