

**207-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.28613 of 2016

Date of decision: September 19, 2016

Kalo

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab
for the respondent-State.

JASPAL SINGH, J.(ORAL)

Through instant petition under Section 438 of the Code of Criminal Procedure, petitioner, namely, Parmo @ Paramjit Kaur has sought pre-arrest bail, feeling apprehension of her arrest, in case bearing FIR No.51 dated 27.06.2016, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Dharamgarh, District Sangrur, during the pendency of the trial.

At the time of issuance of notice of motion by this Court on August 19, 2016, the following order was passed:-

“Inter-alia, it has been contended by learned counsel for the petitioner that instant case has been registered on the basis of a secret information received by the Investigating Officer to the effect that petitioner-Kalo, Raj Singh & Parmo @ Paramjit Kaur are indulging in smuggling of poppy-husk and if a raid is conducted, narcotic substance can be recovered from their house as well as from dharamshala located in front of their residential houses. Accordingly, a raid was conducted and two

bags of poppy-husk containing 57 kg. each were recovered from dharamshala, the custodian of which is stated to be one Jali Singh, Nambardar of Village Sansi Community. However, no recovery was effected from the house of the petitioner or other persons named in the FIR. Learned counsel further contends that petitioner has nothing to do with dharamshala which is being used by Sansi Community. The locks and keys are with Jali Singh, Nambardar.

Notice of motion for 19.09.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under Section 438(2) Cr.P.C.”.

On instructions from ASI Sukhwinder Singh, PS Dharamgarh, District Sangrur, learned State counsel submits that in compliance of the order dated August 19, 2016, petitioner has already joined the investigation on August 25, 2016 and she is no more required for further interrogation/investigation.

Taking into consideration the above facts of the case, interim order dated August 19, 2016, is made absolute and shall enure during the pendency of the trial but subject to the conditions, as envisaged under section 438(2) Cr.P.C.

September 19, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No