

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

CRM No.M-29482 of 2016 (O&M)

Date of decision: 06.09.2016

Babbu

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

\*\*\*\*

**Jitendra Chauhan, J. (Oral)**

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 45 dated 27.03.2016, registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner states that the petitioner is neither the owner nor the driver of the vehicle. The recovery was not effected from the conscious possession of the petitioner. The similiary situated co-accused, namely Sarabpreet Singh @ Rinku and Harish, have already been admitted to bail by this Court.

On the other hand, learned State counsel opposes the bail

application.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the recovery was not effected from the petitioner and the petitioner is neither the owner nor the driver of the vehicle, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds, to the satisfaction of the CJM/Illaqa Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

06.09.2016  
*sumit.k*

**(JITENDRA CHAUHAN)**  
**JUDGE**

|                             |     |    |
|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |