

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-3091 of 2016 (O&M)

Date of Decision: 03.02.2016

Sarabjit Kaur @ Shabho

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vivek Goel, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.91 dated 28.5.2015 under sections 15, 61, 85 of N.D.P.S Act, registered at Police Station, Maqsudan, District Jalandhar.

Learned counsel for the parties have been heard.

Even as per prosecution version the alleged recovery from the petitioner is of 52 kgs of poppy husk. The same would be construed as marginally over and above the commercial quantity. Petitioner has been in custody since 28.5.2015.

Learned State counsel would inform that challan in the present case has been filed even without the F.S.L report having seen the light of the day.

Present petition, however, is opposed on the ground that the petitioner is involved in a number of other proceedings under the N.D.P.S Act. It has, however, been conceded that the alleged recovery in each of such proceedings was of small quantity/non-commercial quantity.

Without commenting on the merits of the case, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Jalandhar.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.02.2016

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