

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

**C.R.M-M No.33535 of 2016
Date of Decision : 06.12.2016**

Palwinder Kaur @ Palvi

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. A.S. Gill, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.33 dated 08.03.2016, registered under Sections 22 of the N.D.P.S. Act, at Police Station City South Moga, District Moga.

On the last date the following order was passed:-

“Counsel for the petitioner has argued that the petitioner has been in custody for the last more than six months; the recovery is 150 grams of intoxicating powder which is just above the commercial quantity; the husband of the petitioner has also been arrested; she has two children; no other case is pending against her, and there are total 13 witnesses who all remain to be examined.

Counsel for the respondent has accepted these factual assertions but states that instead of releasing the

petitioner on bail, it would be appropriate to put a time cap on the trial, and prays for an adjournment to place on record affidavit of the Sr. Superintendent of Police, Moga to the effect that the prosecution will conclude its entire evidence on or before 15.2.2017 subject to the accused not obstructing the same.

Adjourned to 6.12.2016.”

Today the learned Additional Advocate General on instructions from ASI Sukhmander Singh states that though the affidavit is not there yet she has instructions that the undertaking made on the last date shall be adhered to.

In these circumstances, it is directed that in case the prosecution does not lead its entire evidence on or before 15.02.2017 (subject to the accused not obstructing the same), the petitioner be released on bail to the satisfaction of the trial Court.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

Registry is directed to send a certified copy of this order to the S.S.P., Moga.

December 06, 2016
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No