

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

**CRM No. M-35954 of 2016
DECIDED ON:- OCTOBER 21, 2016**

AMARJIT KAUR

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Rajbir Singh, Advocate,
 for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Section 439 of the Code of Criminal Procedure (for brevity, “Code” only), petitioner-Amarjit Kaur has sought bail during the pendency of trial, in case FIR No.13, dated 24.01.2016, under Section 15 and 29 of NDPS Act, registered at Police Station Machhiwara, Police District Khanna.

As per the case of prosecution, a police party headed by ASI Labh Singh intercepted the petitioner and Gurtej Singh @ Kala when they were travelling in Alto Car bearing registration No. PB-13-AP-6576 at 5.30 PM on 24.01.2016. When the said car was subjected to search, 53 kgs of poppy husk is alleged to have been recovered from the same.

Learned counsel for the petitioner contended that the recovery which is alleged to have been recovered from the car is marginally more than the non-commercial quantity.

Petitioner is arrested in this case on 24.01.2016 and since then she is cooling her heels behind the bars. It is an admitted fact that after the conclusion of the investigation, report under Section 173 (2) of the Code has already been presented before the Id. Jurisdictional Magistrate.

Taking into consideration the aforesaid aspects but without expressing any opinion on the merits of the case, the petition is allowed and petitioner is ordered to be released on bail, during pendency of trial, at the satisfaction of trial Court/Duty Magistrate.

OCTOBER 21, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reasonable: Yes/No