

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

**Criminal Misc. No. M-37680 of 2016
Date of Decision:-26.10.2016**

Sundri

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Ms. Suman Sagar Sheoran, Advocate for
Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Manish Bansal, Deputy A.G., Haryana.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner during pending trial in case FIR No.290 dated 17.9.2016, under Sections 21/29/61/85 of the NDPS Act, registered at Police Station Barwala, District Hisar.

Learned counsel for the petitioner states that the co-accused namely, Mahender Singh and Sunil Kumar have been granted regular bail by the learned trial Court. The allegation against the petitioner is that the co-accused have purchased the contraband from her. He states that there is no other case against her and she is in custody since 17.9.2016.

On the other hand, learned State counsel states that though the

above above named accused i.e. Mahender Singh and Sunil Kumar have been granted bail by the learned trial Court but the petitioner was the supplier of the contraband and, therefore, the very basis of the offence starts from her. However, learned State counsel states that there is no other against her.

I have heard learned counsel for the parties.

The allegation against the petitioner is that other co-accused have purchased contraband from her and this allegation has been made on the basis of the statement of those co-accused.

Considering the fact that aforesaid co-accused have been granted bail by the learned trial Court, I deem it appropriate to release the petitioner on regular bail. Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of her bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that in case the petitioner is found involved in any other case of similar nature, the prosecution is at liberty to seek cancellation of her bail.

October 26, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No