

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-1390 of 2017

Date of Decision: 23.01.2017

Balwinder Kaur

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

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

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.90 dated 16.09.2016, registered for the offence punishable under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Bajakhana, District Faridkot.

Heard.

Notice of motion.

On asking of the court, Mr. Ashish Sanghi, DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

Case of prosecution, in brief, is that the petitioner was apprehended on 16.09.2016 and from her possession 270 gms. intoxicating powder and four empty and two syringes full of some intoxicating liquid were recovered. FSL report regarding the contents of powder and liquid recovered from the petitioner is still awaited.

Keeping in view above facts but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Balwinder Kaur is ordered to be released on interim bail on furnishing bail bond and surety bond to the satisfaction of concerned Judge, Special Court/Chief Judicial Magistrate/Duty Magistrate, till the receipt of report of FSL if contents of powder and liquid recovered from her are found to be of contraband, possession of which is punishable under the provisions of NDPS Act, subject to her complying conditions mentioned in Section 437 (3) Cr.P.C. and she shall not leave the country without the previous permission of the Court.

January 23, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No