

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.213

CRM-M-18865-2017

Decided on : 30.05.2017

Savinder Kaur

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Kamlesh, Advocate, for
Mr.Parminder Singh, Advocate, for the petitioner.

Mr.Manish Bansal, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

Through this petition filed under Section 439 Cr.P.C., the petitioner seeks the concession of regular bail in FIR No.512, dated 12.05.2017, registered under Section 21 of the NDPS Act, at Police Station City, Karnal, District Karnal.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner is a lady as also a senior citizen; she has been in judicial custody and, therefore, not needed for investigation purposes; there is no other criminal case in which she is involved; the alleged recovery from her is of 12.30 gms of smack which is non-commercial quantity and since the challan is yet to be filed and there are twelve witnesses cited by the prosecution, the trial is not likely to conclude in the near future.

Learned State counsel, on instructions from ASI Chandeshwar, does not dispute that there is no other criminal case in which the petitioner is involved; the recovery from the petitioner is 12.30 gms of smack and that since the challan has not been filed, the trial is not likely to conclude in the near future.

Since the petitioner is a lady as also a senior citizen; she is not involved in any other criminal case; the alleged recovery from her is of 12.30 gms of smack which is a non-commercial quantity and that since the challan has not been filed and there are twelve witnesses cited by the prosecution, the trial is not likely to conclude in the near future, I am of the opinion that the petitioner deserves to be admitted to regular bail.

Bail to the satisfaction of the CJM/Duty Magistrate, Karnal.

The CJM/Duty Magistrate, Karnal shall insist upon heavy local sureties.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioner, if she is found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioner.

30.05.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No