

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

CRM-M No.21655 of 2017

Date of decision: 8th September, 2017

Naghma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Prashant Vashisth, Advocate for the petitioner.
Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Naghma in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.96 dated 20.04.2015 registered at Police Station Rama Mandi, Jalandhar City under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, 'the Act'), are that on 20.04.2015 from the conscious possession of the petitioner 100 grams of intoxicating powder was recovered which was subsequently opined to be Alprazolam, a non-commercial quantity under Section 2(7) of the Act.

Contentions of the learned counsel for the petitioner are that only non-commercial quantity of contraband is recovered from the petitioner and that she is behind bars since 20.04.2015 and trial will take a long time to conclude.

The factual scenario could not be displaced by learned State counsel who though has sought to oppose grant of relief to the petitioner.

Appreciating the submissions of the two sides, in view of the period of incarceration and without going into the merits of the allegations, in the light of fact that trial is not likely to conclude in near future and culpability if any shall be determined at the time of trial, thus this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, she is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

September 8, 2017

rps

Whether speaking/reasoned Yes/No

Whether reportable Yes/No