

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

CRM-M -26089 of 2016 (O&M)
Date of decision: 06.02.2017

Shama @ Bunty

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ashok Giri, Advocate for the petitioner(s).

Ms. Dhivya Jerath, AAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No.251 dated 26.11.2013, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Salem Tabri, District Ludhiana.

On 05.08.2016, a Co-ordinate Bench (M.M.S. Bedi J.) had passed the following order:-

“For having been found in possession of 100 grams of intoxicating powder, the petitioner was arrested on 26.11.2013. The petitioner had been granted interim bail but she absented on 04.02.2015 despite the fact that report had been received. She has now been in custody w.e.f. 09.12.2015. Eight months have passed but no witness stands examined. Petitioner is accused in two other cases.

Taking into consideration the fact that the petitioner is a widow lady but has misused her liberty by repeatedly indulging in the similar activity, adopting a reformatory approach, petitioner is ordered to be released on interim temporary bail on her furnishing bail bonds/surety bonds to the satisfaction of the trial Court, for a period of six months. In case, the petitioner indulges in similar activity during this period of interim bail, the interim bail will be liable to be cancelled.

For report regarding the conduct of the petitioner, to come up on 06.02.2017.

The petitioner is granted interim temporary bail till the next date of hearing.”

The learned counsel for the petitioner submits that during the interregnum period, the petitioner has not repeated the offence or misused the concession of bail.

The learned State counsel, on instructions does not controvert the above said assertion.

In view of the above, without expressing any opinion on the merits of the case, the interim temporary bail granted by this Court vide order dated 05.08.2016, is made absolute and the same shall remain in subsistence during trial, subject to furnishing bail bonds/surety bonds to the satisfaction of trial Court.

The petition stands allowed.

06.02.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable:	Yes	No
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