

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

CRM No. M-2718 of 2017 (O&M)

Date of Decision: 09.02.2017.

Manjeet Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Vivek Goyal, Advocate for
Mr. Deepak Aggarwal, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439
the Cr.P.C seeking regular bail in case FIR No.16 dated 21.02.2015
registered under Sections 22 of NDPS Act at Police Station Kotfatta,
District Bathinda.

Learned counsel for the petitioner contends that the
petitioner was not arrested from the spot. She is in custody since
07.06.2015. Except the disclosure statement of co-accused Balwinder
Singh @ Binder, there is nothing on record to connect the petitioner.
The recovery was not effected from the conscious possession of the
petitioner. It is further submitted that co-accused Balwinder Singh @
Binder has already been released on regular bail vide order, Annexure
P-3.

Learned State counsel submits that the petitioner is a convict in another FIR under NDPS Act.

Keeping in view the fact that the the petitioner is in custody since 07.06.2015, the petitioner was not arrested from the spot, co-accused Balwinder Singh has already been released on regular bail, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

09.02.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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