

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

CRM-M-3328 of 2017 (O&M)

Date of decision: 06.03.2017

Amar Kaur @ Thela

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. D.S. Sandhu, Advocate for the petitioner.

Mr. Arshdeep S. Kler, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner seeks anticipatory bail in FIR No. 100 dated 24.06.2016, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Sultanpur Lodhi, District Kapurthala.

It is contended that the recovery in fact is non commercial in nature as the weight of the polythene envelope has also been added towards the weight of contraband. The petitioner was earlier admitted to interim bail and she has not misused the concession of bail.

On the other hand, the learned State counsel submits that

the FSL report has been received and the contraband has been found to be diacetylmorphine.

Heard.

It is debatable as to whether the quantity is commercial or otherwise. Considering the above and the fact that the petitioner has not misused the concession of interim bail, it is ordered that in case the petitioner appears/surrenders before the trial Court within a week from today, in that eventuality, she shall be admitted to bail on her furnishing fresh bail/surety bonds to the satisfaction of the trial Court.

Disposed of.

06.03.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No