

CRM-M-40562-2017

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

CRM-M-40562-2017

Date of Decision: 08.11.2017

Balbir Kaur @ Biro

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Kuldeep V. Singh Ahluwalia, Advocate,
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Balbir Kaur @ Biro has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.172 dated 28.09.2017, registered at Police Station Samana, District Patiala, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion was issued in this case.

Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that in the present case, recovery of poppy husk weighing 23 kgs has been effected. The present petitioner is

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stated to have run away from the spot.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that recovery has already been effected in the present case and the petitioner is not required for custodial interrogation, therefore, no useful purpose will be served by sending her to custody. Finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

08.11.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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