

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-45510-2016

Date of Decision : 10.01.2017

Kuljit Kaur @ Kuldeep Kaur

.....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. A.S. Khosa, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

SURINDER GUPTA J. (Oral)

The present petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 169 dated 04.11.2016 registered for the offences punishable under Section 22 of the NDPS Act, 1985, at Police Station Mehtiana, District Hoshiarpur.

Heard.

Allegations against the petitioner are that she had been supplying the intoxicating powder to customers on the asking of Sukhwinder Singh, who is in Hoshiarpur Jail.

Learned State counsel submits that the prosecution is relying on secret information as well as confessional statement made by Gurpreet Singh-accused, who was arrested in this case with intoxicating powder and had disclosed that he got this powder from the petitioner on the asking of Sukhwinder Singh. 90 grams powder was recovered from the petitioner, which has been sent to FSL for report, which is still awaited.

In view of submissions of learned State counsel and without expressing any opinion on merits of the case, the instant petition is allowed and the petitioner is directed to surrender before the police and join investigation within a week. In the event of her arrest being required, she shall be released on bail, subject to her furnishing bonds to the satisfaction of Arresting Officer till presentation of challan, subject to the following terms:-

- (i) that petitioner shall make herself available for interrogation by the police as and when required;
- (ii) that petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against her so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that petitioner shall not leave India without the prior permission of the Court.
- (iv) that petitioner will seek regular bail on the presentation of challan in Court.

January 10, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No