

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

CRM-M No.7949 of 2017

Date of decision: 21st September, 2017

Kamlesh Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. IPS Kohli, Advocate for the petitioner.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Kamlesh Kaur in this first regular bail application filed under Section 439 Cr.P.C. in case FIR No.93 dated 26.05.2016 registered at Police Station Kotwali, District Kapurthala under Sections 21/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, 'the Act'), are that on 26.05.2016 from the conscious possession of the petitioner 100 grams of intoxicating powder containing Diphenoxylate Hydrochloride was recovered, a non-commercial quantity as admitted by the learned State counsel in view of the provisions of Section 2(vii) of the Act.

Contentions of the learned counsel for the petitioner are that the petitioner is behind bars since almost 11 months which factual

scenario has not been controverted by learned State counsel who has placed on record custody certificate to this effect.

In the light of submissions made by learned counsel for the petitioner, being a lady together with the fact that the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, she is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Kapurthala.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

September 21, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No