

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

CRM-M-11959-2018

Date of decision: March 22, 2018

Indra Rani

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Lakhwinder Singh Mann, Advocate
for the petitioner.

RAJ SHEKHAR ATTRI, J.(ORAL)

Through the instant petition preferred under Section 438 of Code of Criminal Procedure, petitioner has sought anticipatory bail in case bearing FIR No.7 dated 14.01.2015, under Sections 15, 18, 21 and 22 of the Narcotic Drugs and Psychotropic Substances Act and Section 61 of Excise Act, registered at Police Station Sidhwan Bet, District Ludhiana Rural.

Heard.

FIR was registered against some persons on the basis of secret information but petitioner is not named therein. However, final report under Section 173 Cr.P.C. has been presented against her. She was released on bail in case FIR No.07 dated 14.01.2015.

Notice of motion.

On the asking of the court, Mr. Karanbir Singh, AAG, Punjab, accepts notice on behalf of the respondent-State.

It is submitted that petitioner was on bail in this case and nothing has been recovered from her. She was arrested in some other case vide FIR No.17 dated 21.01.2014, Police Station Sidhwan Bet, District

Ludhiana Rural. As such, she could not appear in this case. Her interim bail was cancelled by learned Judge Special Court, Ludhiana vide order dated 10.11.2017 (Annexure P-2) and she was taken into custody that day and ultimately, released by this court vide *CRM-M-46436-2017* decided on 01.02.2018 (Annexure P-4).

Thus, it is evident from bare perusal of the material available on record that absence of the petitioner was not willful or intentional rather she was in jail in another case.

In this view of the matter, the petition is allowed subject to the following conditions:-

- (i) that the petitioner shall make herself available for interrogation by the police as and when required;
- (ii) that the 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 her from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

(RAJ SHEKHAR ATTRI)
JUDGE

March 22, 2018
m. sharma

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