

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

**Criminal Misc. No. M-13758 of 2018
Date of decision: 03.12.2018**

Sukhdev Kaur @ Bhappi

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Shivender, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by petitioner-Sukhdev Kaur @ Bhappi under Section 439 Cr.P.C. for grant of regular bail to her in case FIR No.151 dated 24.07.2017 registered under Sections 22/29/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Dharamkot, District Moga.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas no recovery was effected from her rather it was effected from co-accused, Lovepreet Singh, who has approached this Court by way of filing Criminal Misc. No. M-8498 of 2018 and has been released on regular bail vide order dated 18.04.2018. The petitioner is in custody since 25.07.2017. All the witnesses are official witnesses and there is no possibility that the petitioner may influence the witnesses or tamper with the evidence.

Learned State counsel has not disputed the custody period as well as release of co-accused on regular bail by this Court but has opposed

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grant of regular bail to the petitioner on the ground of involvement of the petitioner in three more cases whereas learned counsel for the petitioner submits that in one case, the petitioner has been acquitted; in second case of NDPS Act, the recovery was 15 gms of heroin wherein she has undergone the sentence and in third case, the recovery was non-commercial and she is on bail.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

In view of the submissions made by learned counsel for the petitioner that the petitioner is in custody since 25.07.2017; her co-accused, namely, Lovepreet Singh has been released on regular bail by this Court; all witnesses are police officials and there is no possibility that the petitioner may influence the witnesses; the trial may take time to conclude; no purpose would be served by keeping the petitioner in custody and also the fact that the petitioner has been acquitted in one case; in second case of NDPS Act, the recovery was 15 gms of heroin wherein she has undergone the sentence and in third case, she is on bail, the present petition is allowed and the petitioner (Sukhdev Kaur @ Bhappi) is directed to be released on regular bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court.

03.12.2018
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No