

CRM-M-16412-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16412-2018

Date of Decision: 26th April, 2018

Paro Bai

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

Mr. Kuldeep Singh, Sr. DAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court for grant of regular bail by filing this petition under Section 439 of the Code of Criminal Procedure, 1973, in FIR No.181, dated 23.12.2013, registered at Police Station Sidhwan Bet, District Ludhiana Rural, under Sections 22 and 25 of Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as 'NDPS Act').

It is the contention of the learned counsel for the petitioner that the petitioner was earlier granted the benefit of regular bail. Because of the wrong date noted by her, she could not appear before the trial Court on the date, which was actually fixed. Thereafter, petitioner moved an application for grant of anticipatory bail, which was dismissed and

after dismissal of the said application, petitioner appeared before the police authorities and it has been projected as the petitioner has been arrested. Counsel contends that except for the present case, there is no other case against the petitioner. He further undertakes on behalf of the petitioner that the petitioner would, without any fail, appear on each and every date which may be fixed by the trial Court and in case of any absence on the part of the petitioner, the concession of bail as may be granted be deemed to have been withdrawn. He prays for grant of benefit of regular bail to the petitioner during the pendency of the trial.

Custody certificate of the petitioner has been filed in Court, which is taken on record. According to the custody certificate, it is found that there is no other case registered against the petitioner except for the present one.

Counsel for the State submits that the charges have been framed in the case on 25.04.2018 and there are total 13 prosecution witnesses cited although none of them is examined till date. He, however, opposes the prayer made in the present petition.

Keeping in view the facts that there is no other against the petitioner, there are 13 prosecution witnesses to be examined but till date, none of them has been examined and therefore, the trial is not likely to conclude in near future, petitioner being a lady and she was initially granted the concession of regular bail, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing

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bail and surety bonds to the satisfaction of the trial Court concerned, provided the petitioner gives an undertaking as has been stated by her counsel today. It shall be open to the trial Court to impose any other stringent condition, which may be found necessary to ensure the presence of the petitioner.

26th April, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No