

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

**CRM No.M-21083 of 2018 (O&M)
Date of Decision: August 20, 2018**

Beant Kaur

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Raj Kumar Gupta, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.267 dated 19.12.2014 under Sections 409, 420 IPC and Section 22 of the NDPS Act, registered at Police Station Dakha, District Ludhiana (Rural).

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the FIR, the main accused is Dr.Sudha Vasudev. The present petitioner is stated to be Class-IV employee in the clinic of main accused. As per the allegations, so many

intoxicating tablets were recovered from the clinic of the doctor.

In view of the fact that petitioner is only a Class-IV employee at the clinic, prima facie, it looks that allegation under Sections 409 and 420 IPC cannot be against her but against the main accused. Similarly, the recovery has been effected from the clinic of the doctor and Class-IV employees are not supposed to know the nature of the medicines or tablets kept in the clinic. The allegation against the present petitioner is that she is assisting the doctor, who is the main accused.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, she shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

August 20, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No