

CRM-M-21951-2018

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

CRM-M-21951-2018

Date of Decision: 12.07.2018

Rani @ Muli

... Petitioner

Versus

State of U.T. Chandigarh

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.S.Sarwara, Advocate,
for the petitioner.

Mr. Gautam, Dutt, APP, U.T. Chandigarh.

INDERJIT SINGH, J. (Oral)

Petitioner-Rani @ Muli has filed this second petition under Section 439 read with Section 482 Cr.P.C. for grant of regular bail in case FIR No.268 dated 08.07.2017, registered at Police Station Sector 39 Chandigarh, under Section 22 of the NDPS Act, 1985 and for quashing of order dated 19.04.2018.

Notice of motion was issued. Learned APP for U.T. Chandigarh has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned APP for U.T. Chandigarh and gone through the record.

From the record, I find that the petitioner was earlier released on bail under Section 167 (2) Cr.P.C. and she was appearing before the trial Court. However, she absented herself from the trial Court on 11.04.2018 and her application seeking exemption from personal

CRM-M-21951-2018

appearance was dismissed by the trial Court. She was arrested by the police on 17.04.2018 and since then, she has been in custody.

She is now not required for any investigation or interrogation purposes as she is in judicial custody. The trial of the case will take a long time. In view of the fact that the petitioner was earlier released on regular bail and was appearing before the trial Court, I find that no useful purpose will be served by keeping her in custody till the final disposal of the case.

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, this criminal miscellaneous petition is partly allowed and the petitioner is ordered to be released on bail subject to her furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

As regards the relief claimed by the petitioner challenging the order dated 19.04.2018 whereby cash amount of ₹2 lakhs deposited as surety amount has been forfeited to the State, is concerned, the same relief cannot be claimed in this petition, rather it can be claimed by filing separate appropriate proceedings.

12.07.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No