

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-22816 of 2018

Date of Decision: 02.07.2018

Krishna

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. D.N. Ganeriwala, Advocate
for the petitioner.

Mr. Surinder Pal Singh Tinna, Addl.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.140 dated 19.04.2018 under Section 22 of the NDPS Act registered at Police Station City Barnala.

Learned counsel for the petitioner submits that the alleged recovery made from the petitioner is 200 tablets of Alprazolam, the total weight of which comes to about 30 grams and the same falls within the non-commercial category and there is no other case pending against the petitioner. However, the petitioner is in custody since 19.04.2018.

Learned State counsel, on instructions from SI Parminder Jeet Kaur, submits that though there is no other case pending against the petitioner but considering the fact that the cases under the NDPS Act are on rise in the State of Punjab, there is possibility that the petitioner may be

involved in other NDPS cases in future. Even for the recovery of the aforesaid quantity, the petitioner does not deserve to be released on bail.

I have heard learned counsel for the parties.

The alleged recovery made from the petitioner is about 200 tablets of Alprazolam and their total weight comes to about 30 grams, which falls in non-commercial category. Considering the fact that the petitioner is in custody since 19.04.2018 and trial in the case will take sufficiently long time, I deem it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of her bail bonds/surety bonds to the satisfaction of trial Court. While admitting the petitioner on bail, the trial Court may put any other condition upon her, as it may deem fit.

It is made clear that in case the petitioner is found indulged in any other case of NDPS Act, the prosecution shall be at liberty to seek cancellation of her bail.

July 02, 2018
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No