

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

CRM-M-29490-2018
Date of decision: 24.08.2018

Roita @ Rita

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. J.S. Bagga, Advocate for the petitioner.

Mr. Amandeep Singh Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 439 Cr.P.C., petitioner-Roita @ Rita, has prayed for grant of regular bail in case FIR No. 13 dated 18.04.2018 registered under Sections 21, 22 and 29 of the NDPS Act, 1985 and Section 14 of the Foreigners Act, 1946 at Police Station STF Wing Phase-IV, Mohali.

2. According to the prosecution, on 18.04.2018, the petitioner was apprehended by the police party with a plastic envelop containing 50 grams of heroin.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has falsely been implicated in the instant case. The alleged recovery of 50 grams of heroin from the petitioner falls under “non-commercial quantity”. The petitioner is not involved in any other case under the NDPS Act. The petitioner is in custody since 18.04.2018. Conclusion of trial may take a long time. No useful purpose would be served by detaining the petitioner in jail. Co-accused Jude Justine has

already been granted regular bail by this Court vide order dated 20.08.2018 and on the same parity, the petitioner may also be granted bail.

4. Learned State does not dispute the aforesaid facts.
5. Considering over-all facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner-Roita @ Rita, is ordered to be released on bail pending trial, on her furnishing appropriate bail bonds and two sound local sureties to the satisfaction of trial Court/Duty Magistrate, concerned, as the petitioner is a Nigerian Citizen.

August 24, 2018 <i>sonia</i>	(RAMENDRA JAIN) JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No