

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

CRM No.M-34050 of 2018 (O&M)

Date of Decision: August 14, 2018

Reena

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Sandeep Kotla, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.199 dated 30.04.2018 under Sections 21-C and 27-A of the NDPS Act, registered at Police Station Hansi, District Hisar.

Notice of motion.

Mr.B.S.Virk, DAG, Haryana, has put in appearance on behalf of the respondent-State and contested the petition.

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

As per allegations in the FIR, Raj Kumar, father of present petitioner, who was going on motorcycle, was apprehended by the police party and 792 grams of smack has been recovered from him. The petitioner

is daughter of the main accused Raj Kumar, from whom recovery has been

effected. She has been nominated on the basis of disclosure statement of Raj Kumar, who stated that he has procured smack through Reena. Learned counsel for the petitioner argued that Raj Kumar, who has nominated the present petitioner, would not come to the witness box in support of the prosecution case.

From the record, I find that the present petitioner was not present at the spot. Nothing has been recovered from her. No other cogent evidence has been shown against the present petitioner regarding her involvement.

The petitioner has been in custody since 02.05.2018. She is not required for investigation or interrogation purposes as she is in judicial custody. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the 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, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal/surety bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

However, nothing stated above, shall constitute my opinion on merits of the case.

August 14, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No