

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

CRM-M-No.34076 of 2018
Date of Decision:10.10.2018

Gurmeet Kaur @ RaniPetitioner
Vs.

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr.Shub Karman, Advocate for the petitioner.

Mr.K.S.Sidhu, DAG, Punjab.

SUDHIR MITTAL J. (ORAL)

The petitioner seeks anticipatory bail in case FIR No.100 dated 01.07.2018, registered at Police Station, Hathur, District Ludhiana, under Sections 21 and 22 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner is a woman aged 53 years. The police has registered the FIR on the basis of the secret information and had proceeded to raid the residential house of the petitioner without informing any senior officer and in the absence of any gazetted officer, recovery of 100 tablets has allegedly been effected from the daughter-in-law of the petitioner, who was arrested on the spot. She has ultimately been granted regular bail. The entire family is being implicated for no valid reason. There is no other case pending/decided against the petitioner and, thus, the petitioner may be granted anticipatory bail.

The prayer is opposed by learned State counsel that there was another case registered against the husband of the petitioner, although, he was acquitted in the said case. Contraband has been recovered from the spot and the petitioner and her family members managed to escape. There is no false

implication, as after receiving secret information, a Ruqa was sent to the police station.

It is, however, admitted that the recovery was not effected in the presence of the Gazetted officer.

From the above submissions, it is apparent that the petitioner is not involved in any other criminal case. Recovery has already been effected. Thus, her custodial interrogation is not necessary.

Thus, the petition is allowed and the petitioner is directed to join investigation with the Investigating Officer on 16.10.2018 at 10.00 a.m. and co-operate therewith. In the event of her arrest, she shall be released on anticipatory bail to the satisfaction of the Investigating Officer/SHO concerned subject to her joining the investigation and compliance of the provisions enshrined under Section 438(2) Cr.P.C.

(SUDHIR MITTAL)
JUDGE

10.10.2018
Anjal

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No