

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

CRM-M No.5794 of 2018
DATE OF DECISION:20.08.2018

Paramjit Kaur

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Inder Pal Singh, Advocate
for the petitioner.

Mr. C. L. Pawar, Senior DAG, Punjab.

DAYA CHAUDHARY, J.(ORAL)

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.114, dated 20.10.2017, registered under Section 21 of NDPS Act at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case whereas she was not involved. As per allegations made in the FIR, the petitioner has been shown to be present at the public place but no independent witness was joined. The alleged recovery is 275 grams of heroin which is marginally more than the commercial quantity.

Learned counsel also submits that petitioner is having one daughter and one son who is minor. She is in custody since 19.10.2017 and there is no other case of similar nature against her. Learned counsel also submits that all witnesses are official and there is no possibility that

the petitioner may influence them or tamper with the record.

Learned State counsel has not disputed the custody period but has opposed the submissions made by learned counsel for the petitioner on the ground of seriousness of offence.

By considering that the petitioner is in custody since 19.10.2017 and also the fact that the recovery effected is marginally more than the commercial quantity and that no other case is pending against the petitioner, the petition is allowed. The petitioner is directed to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court.

It is made clear that in case the petitioner is found to be involved in some other case of similar nature in future, the State is at liberty to move an application for cancellation of bail granted to the petitioner.

20.08.2018
rimpal

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No