

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

CRM-M-8222-2018

Date of decision: - 08.05.2018

Dharam Kaur alias Dharmo

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. N.S. Dandiwal, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.90 dated 02.10.2017, registered under Sections 21/22/61/85 of The Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act') at Police Station Fatehgarh Panjtoor, District Moga.

It is contended by learned counsel for the petitioner that the petitioner is in custody since 02.10.2017 and the alleged recovery is 260 grams of intoxicating powder along with two grams of Heroin. It is further contended that the charges were framed on 21.03.2018 and out of total fourteen prosecution witnesses, only one has been examined till date.

The above factual position is duly acknowledged by learned State counsel on instructions from HC Nishan Singh.

Heard learned counsel for the parties and perused the paper-book.

Undisputedly, there is no other criminal case pending against the petitioner under the provisions of NDPS Act.

In view of the fact that the petitioner is a female and is in custody since 02.10.2017. Charges were framed on 21.03.2018 and out of total fourteen witnesses, only one has been examined till date and the trial is likely to take a long time to be concluded. Thus, no useful purpose would be served by keeping the petitioner behind the bars any more.

Therefore, in view of the abovesaid circumstances, without expressing any opinion on the merits of the case, the present petition is accepted. Petitioner-Dharam Kaur alias Dharmo be admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

(MAHABIR SINGH SINDHU)
JUDGE

May 08, 2018
naresh.k

Whether reportable?	Yes
Whether reasoned/speaking?	Yes