

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1639-2019
Date of decision: 21.01.2019

Paramjit Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Arti Kaur, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.145 dated 23.08.2018 under Section 22 of NDPS Act, registered at Police Station City Nawanshahr, District SBS Nagar.

Learned counsel for the petitioner submits that as per allegations in the FIR, the petitioner was pillion rider on a scooter, which was driven by her husband/co-accused Manvir Kumar. When the police party apprehended them and conducted the personal search, 10 injections of Buprenorphine (2 ml each) were recovered from the pockets of co-accused Manvir Kumar/husband of the petitioner and 10 injections were recovered from the purse of the petitioner, apart from Rs.55/-. It is further submitted that the petitioner is first offender and total quantity of 10 injections is 20 ml, which is not greater than the commercial quantity. Learned counsel further submits that the petitioner is having a minor

child aged about 02 years; who is also in judicial lockup with the petitioner; her husband is also in judicial custody; she is not involved in any other case and is facing great difficulty.

Learned State counsel, on the basis of custody certificate dated 21.01.2019 filed in the Court today, has not disputed the fact that the petitioner is not involved in any other case.

Without commenting anything further on merits of the case, considering the fact that the petitioner is in judicial custody for the last more than 03 months and recovery effected from her is not greater than the commercial quantity; she being the first offender and having a minor child, who is also in judicial custody, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing her bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

21.01.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No