

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

**CRM-M-519 of 2019
DATE OF DECISION:-15.01.2019**

SHOBHIKA

...PETITIONER...

V.

STATE OF PUNJAB

...RESPONDENT...

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Mohit Garg, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a case arising from FIR No.248 dated 11.11.2018, registered under Sections 15/25 of the NDPS Act, 1985 at Police Station Sangat, District Bathinda.

According to the prosecution, on 10.11.2018, the police party headed by ASI Gurjant Singh found lying an accidental Innova Car bearing registration No.HR-26BE-9013 in the area of village Phallar. On its search, 5 bags each containing 11 kg of poppy heads totalling 55 kg were recovered from it. During investigation, it was found that petitioner is the registered owner of the aforesaid offending car.

Learned counsel contends that petitioner through her husband

is plying the aforesaid Innova car as Taxi to fetch some extra income, besides her job as Teacher in a private school to pull on her family smoothly. She has no role in carrying contraband in her car. No recovery has to be effected from the petitioner. The petitioner is a woman and is in custody since 25.11.2018. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner in jail any more during trial.

Considering overall facts and circumstances, but without expressing any opinion on the merits of the case, the petition is allowed. Consequently, petitioner is ordered to be released on bail during pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

15.01.2019

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(RAMENDRA JAIN)
JUDGE**whether speaking/reasoned: Yes/No****whether reportable: Yes/No**