

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

**CRM-M No.1711 of 2019 (O&M)
Date of decision :01.02.2019**

Manjit Kaur @ Meeta

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Naveen Sharma, Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.55 dated 27.05.2015 registered under Section 21 of NDPS Act, 1985 at Police Station Satnampura, District Kapurthala.

The primary ground taken was that he was not even on a substantive rank of ASI and he was only Head Constable and therefore, the entire process is vitiated.

On the last date the matter was adjourned to ascertain this fact by the learned State counsel. Learned State counsel on instructions from H.C. Manjit Singh has accepted these facts. She has accepted the fact that both the ASI Paramjit Singh and ASI Sukhwinder Kumar were having only

local rank. However she states that in this case the recovery is of 250

grams of Diphenoxylate and 10 grams of heroin and the petitioner had even been declared as a proclaimed offender.

Be that as it may, keeping in view the above facts and the period of incarceration already suffered by the petitioner and without going into the merits of the case, at this stage I deem it appropriate to release the petitioner on regular bail to the satisfaction of the trial Court/Illaqa Magistrate. The trial Court would be justified in demanding heavy surety in view of the previous conduct of the petitioner.

Ordered accordingly.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

01.02.2019

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No