

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-1531-2019

Date of Decision:-01.04.2019.

Sheela Rani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Abhinav Gupta, Advocate for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No. 110 dated 04.12.2018 under Sections 21/22 of the NDPS Act, 1985, registered at Police Station Sadar, Nawashahr, District SBS Nagar, Punjab.

On 15.01.2019, this Court had passed the following order :-

“Learned counsel for the petitioner contends that on 04.12.2018 the FIR No.110 under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act was registered upon a secret information. While acting upon it, 30 grams of heroin was recovered from Amarjit Kaur and her son Sukha. The petitioner has been indicted only on the basis of the disclosure allegedly made by the co-accused which may not be admissible in evidence.

Notice of motion for 01.04.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the order dated 15.01.2019, the petitioner has joined the investigation.

Learned State counsel on instructions of ASI Jaswinder Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 15.01.2019, is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

April 01, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.