

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

**CRM No.M-3750 of 2019 (O&M)
Date of Decision: February 27, 2019**

Rekha

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.J.S.Thakur, Advocate
for the petitioner.

Mr.Dhruv Dayal, Sr.DAG, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.343 dated 07.12.2018 under Section 15 of the NDPS Act, registered at Police Station Phillaur, District Jalandhar Rural.

Notice of motion was issued. Learned State counsel appeared and contested the petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per prosecution version, recovery has been effected from the co-accused. Pawan Kumar, co-accused made disclosure that they have brought two bags of poppy husk from the house of

present petitioner Rekha. As per prosecution version, two bags of poppy husk have been recovered from house of co-accused Deepak Kumar.

At this stage, there is only disclosure statement of the co-accused and further, at the time of arguments, learned State counsel submitted that petitioner has committed offence under Section 29 of the NDPS Act. The provisions under Section 37 of the NDPS Act does not apply in the present case.

The petitioner has already joined the investigation. Recovery has already been effected. The petitioner is not required for custodial interrogation. The trial of the case will take long time. No useful purpose will be served by sending and keeping the petitioner in custody till the disposal of the case.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 29.01.2019 granting interim bail to the petitioner, is made absolute

February 27, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No