

CRM-M-4260 of 2019

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

CRM-M-4260 of 2019
Date of Decision: 06.05.2019

Akanksha Mamgain @ Akanksha Sharma

...Petitioner

Versus

Union of India

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. R.S. Randhawa, Advocate, for the petitioner.
Ms. Sharmila Sharma, Advocate, for the respondent.

RAMENDRA JAIN, J. (ORAL)

Reply on behalf of respondent, filed in Court today, is taken on record.

Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in case NCB Crime No.45/2018/ dated 02.12.2018 under Sections 8/21/25/29/60 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Narcotic Control Bureau, Chandigarh.

According to the prosecution, in the morning of 02.12.2018, on the basis of secret information, Innova car bearing registration No. CH-04-K-3895 driven by Inderjit Singh, accompanying the petitioner was intercepted. On search, 415 grams of heroin was recovered from the boot of the said car. Thereafter, on the basis of disclosure statement, rented accommodation of the co-accused was also raided from where a packet of 5

grams of heroin was further recovered.

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Learned counsel for the petitioner *inter alia* contends that petitioner has falsely been implicated simply because she was accompanying main co-accused Inderjit Singh. Petitioner, in her disclosure statement, never confessed that she was also part and parcel of above illicit trade with main co-accused Inderjit Singh. It was co-accused Inderjit Singh, who was indulged in nefarious activities without knowledge of the petitioner. Petitioner is in custody since last more than five months. No recovery has to be effected from her. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

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 her furnishing bail bonds and surety bonds to the satisfaction of Trial Court/Duty Magistrate concerned.

May 06, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No