

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

**CRM-M-7692 of 2019
DECIDED ON: 20.02.2019**

PREETPAL KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Ms. Parminder Kaur, Advocate for
Mr. Sandeep Kumar Passi, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.61 dated 03.07.2018, registered under Section 22 of NDPS Act, 1985 (Section 29 of NDPS Act added subsequently), Police Station Harike, District Tarn Taran, Punjab.

According to the prosecution, 5430 tablets of different description, 600 injections and 59 vials containing narcotic substance were recovered from the matrimonial house of the petitioner in her presence.

Earlier the petitioner was granted interim bail vide order dated 12.09.2018 passed in CRM-M-37410-2018 till receipt of FSL report, which was to be filed by the police on 25.01.2019.

On that date i.e. 25.01.2019, petitioner absented from the trial

court. Considering the FSL report and the fact that commercial quantity of contraband was effected from the matrimonial house of the petitioner, the trial court cancelled her bail bonds and surety bonds.

Learned counsel contends that no recovery was effected from the petitioner. Petitioner, being lady, having two children studying in 4th class and UKG has to look after them as her entire family members have been involved in the instant case. Father-in-law of the petitioner is having a valid licence to get the drugs purchased against genuine bills, which were allegedly recovered by the police. Petition for quashing FIR against the petitioner has been withdrawn. Except one, rest all the medicines recovered from the house of the petitioner do not fall under the prohibited drugs.

Considering the heavy quantity of prohibited drugs recovered from the house of the petitioner, this Court is not inclined to grant anticipatory bail to her, inasmuch as, offenders like the petitioner initially seek anticipatory bail till receipt of FSL report. Thereafter, on receipt of FSL report, they try their level best to remain on anticipatory bail, till conclusion of trial by raising all possible frivolous pleas. This practice has to be deprecated.

Dismissed.

20.02.2019

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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No