

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

239

CRM-M-8502-2019

Date of decision : 16.10.2019

Mohinder Kaur @ Binder Kaur

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Jashandeep Singh Sandhu, Advocate for the petitioner.

Mr. K.K. Bheniwala, Addl. A.G., Punjab

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.79, dated 02.08.2018, under Section 22 of the NDPS Act, registered at Police Station Nandgarh, District Bathinda.

Learned counsel for the petitioner contends that the allegations against the petitioner are that she was found in possession of tablets with a total weight of 606 grams Tramadol. Tramadol has been brought under the NDPS Act only w.e.f. 28.04.2018, prior to this, it did not constitute an offence under the NDPS Act. He also contends that the petitioner is 65 years old lady and is in custody for over a year. The petitioner is not involved in any other case under the NDPS Act. He further contends that the first informant had himself conducted the investigation which had caused prejudice to the petitioner. He has relied upon the judgment of Coordinate Benches of this Court in the case of **Kashmir Singh vs. State of Punjab**, in CRM-M-7437 of 2019, decided on

21.02.2019 wherein the petitioner therein had been granted regular bail as he was in custody for over seven months and the judgment in the case of **Karaj Singh vs. State of Punjab**, in CRM-M-23811 of 2018, decided on 09.07.2018, wherein the petitioner therein had been granted regular bail after custody of six months.

Learned State counsel states that although charges have been framed but no prosecution witness has been examined.

Heard.

In view of the submissions of the learned counsel for the petitioner especially when the petitioner is 65 years old lady, she is in custody for over a year, she is not involved in any other case under the NDPS Act and the conclusion of the trial is likely to take sometime, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

October 16, 2019

sonia gugnani

Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No