

CRM-M-8132-2019

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

CRM-M-8132-2019

Date of Decision: 02.04.2019

Karamjeet Kaur

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Amit Choudhary, Advocate,
for the petitioner.

Mr. Sharad Kumar Yadav, Deputy Advocate General, Haryana.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.39 dated 05.02.2019, registered at Police Station City Ratia, District Fatehabad, under Sections 15 and 18 of the NDPS Act, 1985.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

As per the allegations in the FIR, one kg of poppy husk and 200 gram of opium were recovered from Buta Singh, who was apprehended at

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the spot. The present petitioner is stated to have been named by Buta Singh as the person from whom he had purchased the contraband. The recovery effected in the present case falls in non-commercial quantity.

In pursuance of the interim order dated 22.02.2019 passed by this Court, the petitioner has already joined the investigation. She is not required for custodial interrogation. Recovery has already been effected. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 22.02.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

02.04.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No